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BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF UTAH

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In Re:	:	
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MULTISTATE REGULATORY	:	<b>ADOPTION OF</b>
SETTLEMENT AGREEMENT WITH:	:	<b>REGULATORY</b>
	:	<b>SETTLEMENT</b>
<b>BCS INSURANCE COMPANY</b>	:	<b>AGREEMENT</b>
	:	
	:	
	:	
	:	Docket No. 2017- 105AD
	:	
	:	Lisa Watts Baskin
	:	Presiding Officer

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WHEREAS, a regulatory settlement agreement (“Regulatory Settlement Agreement” or “RSA”) has been entered into between (a) BCS Insurance Company, together with its affiliates and each of its predecessors, successors, assigns and legal representatives (collectively referred to

herein as “BCS” or the “Companies”) and (b) the insurance regulators of Missouri, Minnesota, Ohio, Oklahoma, Pennsylvania and Utah (“Lead States”), which RSA was signed by BCS on December 12, 2017, and by each Lead State and the other participating states (“Participating States” or “Departments”) to sign no later than January 25, 2018;

WHEREAS, the Departments have regulatory jurisdiction over the business of insurance conducted in their respective jurisdictions;

WHEREAS, the Departments are the Lead and Participating States in the Multi-State Examination that were called to assess BCS’s activities related to certain concerns of an un-level playing field in the market for travel insurance. The purpose of the review was to assess BCS’s underwriting and rating, policyholder services, claims, producer licensing, marketing and sales, complaints and operations/management relating to travel insurance. Specifically, regulators were concerned that insurers were failing to comply with licensing laws, failing to file forms, rates or rules in all states, using rate ranges in an unfairly discriminatory manner, engaging in unfair claims practices, engaging in unfair trade practices and tying the purchase of travel insurance with the purchase of non-insurance assistance services;

WHEREAS, as a result of the findings BCS agrees to: (1) adhere to licensing laws of each Participating State; (2) cease offering sales through a trust in states whose laws do not authorize such sales; (3) comply with rate transparency by complying with the Merlinos Actuarial Report which contains Forward Looking Guidelines for rate fillings; (4) pre-existing condition claims will be adjudicated based on the laws of each state, and that pre-existing

condition waivers will waive all pre-existing conditions; (5) cease prohibiting the use of opt-out sales practices unless such sales are authorized under state law; and (6) cease prohibiting the use of bundling in states whose laws prohibit the practice and will comply with required disclosures in states that permit bundling;

WHEREAS, BCS and the Departments desire to resolve the differences between the Parties as an alternative to a lengthy adjudicatory process for making and enforcing any such formal findings, the Parties determined that entering into a RSA would be in the best interest of consumers;

WHEREAS, the RSA will become effective upon the date the RSA has been executed by BCS, the Lead States, and 24 Participating States; and

WHEREAS, the Commissioner of Insurance of the State of Utah has determined that it is in the best interests of the citizens of the State of Utah that the Utah Insurance Department participate in the settlement of the subject matter of the RSA;

NOW THEREFORE, IT IS HEREBY ORDERED:

The Commissioner of Insurance of the State of Utah, as executive director of the Utah Insurance Department, hereby adopts, agrees to, and approves the Regulatory Settlement Agreement by and between BCS and the Participating States (including the Lead States) that was signed by BCS on December 12, 2017, and by the Participating States by January 25, 2018. (A copy of the Regulatory Settlement Agreement is attached hereto and incorporated herein by this reference as Exhibit A.)

DATED this 22 day of February, 2018.



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