

M. GALE LEMMON #4363
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, UT 84114
Telephone (801) 538-3872

**BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH**

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

GREAT AMERICAN PLAN ADMINISTRATORS:
525 Vine Street, 7th Floor
Cincinnati, OH 45202
License No. 103461

**STIPULATION
&
ORDER**

Docket No. 2007-1342C

Enf. Case No. 2069

STIPULATION

1. Respondent, Great American Plan Administrators, is a licensed non-resident third party administrator in the State of Utah, holding License No. 103461.
2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:
 - a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
 - b. Respondent admits the Findings of Fact and Conclusions made therefrom;
 - c. Respondent stipulates to the summary entry of the Order herein which shall be in lieu of other administrative proceedings by Complainant in this matter; and

d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of its right to a hearing at which it may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived its right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.

5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to its rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for the purpose of disposition of the matter entitled herein.

DATED this 5 day of NOVEMBER, 2007.

D. V. V.
GREAT AMERICAN PLAN ADMINISTRATORS
D. Kevin Hensley, Director

M. Gale Lemmon
UTAH INSURANCE DEPARTMENT
M. Gale Lemmon, Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about July 9, 2007, Respondent submitted an application for renewal of its license as a non-resident third party administrator in the State of Utah.
2. In its application for renewal of its license, Respondent answered “No” to the question “Since last disclosure on your organization license application form or on your previous organization license renewal or reinstatement form, has your organization ... ever been involved in an administrative proceeding regarding any professional or occupation license?”
3. Contrary to its response in its license renewal application, Respondent had an administrative action taken against it and was assessed a penalty in March 2006 for failure to file and annual report and pay a fee on time by the Nevada Division of Insurance.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. In failing to disclose an administrative action taken against it in its renewal application, Respondent violated Utah Code Annotated §§ 31A-25-203(3) and 31A-2-202(6).

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent is assessed an administrative forfeiture in the amount of \$500.00 to be paid within 30 days of the date of this Order.

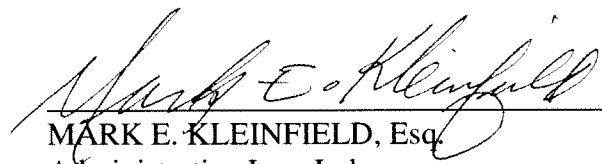
NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject it to further penalties, including additional forfeitures of up to \$5,000.00 per violation and the suspension or revocation of its license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them.

DATED this 26th day of November, 2007.

D. KENT MICHIE
INSURANCE COMMISSIONER


MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
State Office Building, Room 3110
Salt Lake City, Utah 84114
Telephone (801) 538-3800

CERTIFICATE OF MAILING

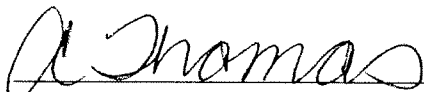
I do hereby certify that on this date I mailed, by regular mail, postage prepaid, a true and correct copy of the attached:

STIPULATION
&
ORDER

To the following:

Great American Plan Administrators
525 Vine Street 7th Floor
Cincinnati, OH 45202

DATED this 27th day of November, 2007.



Angie Thomas Court Clerk
Utah Department of Insurance
State Office Building, Room 3110
Salt Lake City, UT 84114-6901

**UTAH
Invoice**

Printed Date: November 27, 2007

Invoice Date: November 27, 2007
Balance Due: \$500.00
Due Date: December 27, 2007
Invoice ID: 357594

GREAT AMERICAN PLAN ADMINISTRATORS
525 VINE STREET 7TH FLOOR
CINCINNATI OH 45202

Item Description	Amount
Monetary Penalty Agency	\$500.00
Original Amount Due	<u>\$500.00</u>

**UTAH
Invoice**

Printed Date: November 27, 2007

Invoice Date: November 27, 2007
Balance Due: \$500.00
Due Date: December 27, 2007
Invoice ID: 357594

Make checks payable to: Utah Insurance Department

Send payment to:

Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901