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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENTS:

UNICARE LIFE & HEALTH INSURANCE
COMPANY
120 Monument Circle
Indianapolis, IN 46204
NAIC ID 80314

STIPULATION AND ORDER

Docket No. 2010-180 HL

Enf. Case No. 2733

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UTAH STATE
INSURANCE DEPT

STIPULATION

1. Respondent, Unicare Life & Health Insurance is a foreign insurance company holding a Certificate of Authority for conducting insurance business in the State of Utah.

3. 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 purpose of disposition of the matter entitled herein.

DATED this 22 day of DECEMBER, 2010.



UNICARE LIFE & HEALTH INSURANCE
COMPANY
Dennis Casey, President



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. Respondent, Unicare Life & Health Insurance Company, is a foreign insurance company with a Certificate of Authority to conduct insurance business in the State of Utah.
2. Respondent failed to pay its renewal fee of \$1,475.00 due on January 31, 2010, thereby failing to renew its Certificate of Authority for 2010 with the Utah Insurance Department.
3. Respondent paid its past due renewal fee plus a late fee on September 22, 2010.
4. During the period of lapse, from January 31, 2010 through September 22, 2010, Respondent continued to do business in Utah.
5. From January 1, 2010 through June 30, 2010, Respondent received \$5,640.535.00 in Utah direct premiums.

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

CONCLUSIONS OF LAW

1. Utah Code Ann § 31A-4-102(1) states as follows:
 - (1) A person may not conduct an insurance business in Utah in person, through an agent, through a broker, through the mail, or through another method of communication except:
 - (a) an insurer:
 - (i) authorized to do business in Utah under Chapter 5,7,8,9,10,11,13, or 14; and
 - (ii) within the limits of its certificate of authority.

2. Respondent violated Utah Code Ann. § 31A-4-102(1) by continuing to conduct business without a Certificate of Authority during the period January 31, 2010 through September 22, 2010.

3. An administrative forfeiture in the amount of \$4,000.00 is appropriate under the circumstances.

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

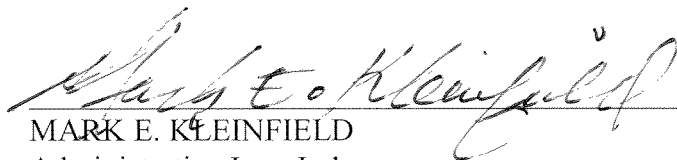
ORDER

IT IS HEREBY ORDERED:

1. Respondent, Unicare Life & Health Insurance Company, is hereby assessed a forfeiture in the amount of \$4,000.00 to be paid to the Utah Insurance Department withing 30 days of issuance of this Order.

DATED this 11 day of January, ~~2010.~~ ^{2011.}

NEAL T. GOOCH
Insurance Commissioner



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