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

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

GUARANTEE TRUST LIFE INSURANCE CO.
Attn.: Theresa A. Tyc, Asst. V.P.
1275 Milwaukee Ave.
Glenview, IL 60025
Utah Org. Id. No. 384

**STIPULATION
&
ORDER**

Docket No. 2012-068 LF

Enf. Case No. 2828

STIPULATION

1. Respondent, Guarantee Trust Life Insurance Company, is an insurer domiciled in the State of Illinois, and authorized to do business in the State of Utah, Utah Organization Identification No. 384.

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 5TH day of April, 2012.



GUARANTEE TRUST LIFE INSURANCE CO.
Robert Baluk, General Counsel



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. During 2005 and 2006, Respondent issued group health policies to two purported associations, Select Benefits Services Association (“SBSA”) and the Association of Independent Managers (“AIM”), which intended to market memberships in the associations and offer enrollment in these group policies to their members in the State of Utah.

2. Prior to issuing the group policies to SBSA and AIM for enrollment of their members in the group policy in the State of Utah, Respondent failed to file a Group Questionnaire with the Utah Department of Insurance for review.

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 file a Group Questionnaire for two purported association groups that would market membership and enroll insureds in the State of Utah, Respondent violated Utah Admin. Code Rule R590-220-9(2).

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 \$5,000.00, 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 \$2,500.00 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 17th day of April, 2012.

NEAL T. GOOCH
INSURANCE COMMISSIONER



MARK E. KLEINFELD, Esq.
Administrative Law Judge
Utah Insurance Department
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