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## BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF UTAH

**COMPLAINANT:**

UTAH INSURANCE DEPARTMENT

**NOTICE OF INFORMAL  
ADJUDICATIVE PROCEEDING  
AND ORDER**

**RESPONDENT:**

DENTAL SELECT BENEFITS GROUP  
ATTN: SUZETTE MUSGROVE  
5373 GREEN ST STE 400  
SALT LAKE CITY UTAH 84123

Docket No. 3184

Enf. Case No. 2012-114 HL

License No. 5714

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The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated (U.C.A.) §§ 31A-2-101 and 63-46b-3 and Utah Administrative Code (U.A.C.) Rule R590-160. Based upon information contained in agency files or known to the Commissioner, the Commissioner makes the following:

**FINDINGS OF FACT**

1. Respondent is a resident third party administrator authorized to do the business of insurance in the State of Utah holding License number 5714
2. Respondent failed to properly respond to an inquiry of the Commissioner dated May 22, 2012. Correspondence was emailed to sylviaad@dentalselect.com.

3. Thereafter, Respondent was required, by letter dated June 12, 2012 and emailed to the respondent's email address of [sylviad@dentalselect.com](mailto:sylviad@dentalselect.com) to provide a substantive response to the Commissioner's initial inquiry on or before June 22, 2012. An additional email went out on June 28, 2012 to [sylviad@dentalselect.com](mailto:sylviad@dentalselect.com) and [suzettem@dentalselect.com](mailto:suzettem@dentalselect.com) to provide an inquiry on or before July 3, 2012.

4. As of the date of this Notice of Informal Adjudicative Proceeding and Order, no response has been received and the time for response and any extensions granted has expired.

Having entered his Findings of Fact, the Commissioner now enters his:

#### **CONCLUSION OF LAW**

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent violated U.C.A. Subsection 31A-2-202(4).

Based upon the foregoing Findings of Fact and Conclusions of Law, the Commissioner now enters the following:

#### **ORDER**

##### **IT IS HEREBY ORDERED:**

1. Respondent shall pay an administrative forfeiture in the amount of \$500.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

2. Respondent shall provide a substantive response to the Commissioner's inquiries to be received in the offices of the Utah Insurance Department no later than ten (10) days after the date this Order becomes final.

3. This Order shall become final fifteen (15) days after the date of mailing unless a written request for a hearing is received from the Respondent in the offices of the department prior to that date. A written request for a hearing shall be signed by the person making the

request and shall state the basis for the relief requested.

### NOTIFICATION

If you request a hearing regarding this matter, the department will be represented by M. Gale Lemmon, Assistant Attorney General, State Office Building, Room 3110, Salt Lake City, Utah 84114, Telephone Number (801) 538-3800. Failure to request a hearing will be considered a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

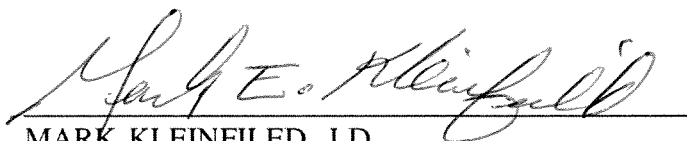
You are further notified that a failure to obey an Order of the commissioner may subject you to further penalties, including forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license and the filing of an action to enforce this Order in District Court which may impose forfeitures 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.

Questions regarding this Adjudicative Proceeding should be directed to Troy E. Stover, at the Utah Insurance Department (801) 537-9073.

DATED THIS 20<sup>th</sup> day of JULY, 2012.

Neal T. Gooch  
INSURANCE COMMISSIONER



MARK KLEINFELD, J.D.  
ADMINISTRATIVE LAW JUDGE  
Utah Insurance Department  
State Office Building, Room 3110  
Salt Lake City, Utah 84114  
Telephone (801) 538-3800