

Utah Insurance Department
State Office Building, Rm 3110
Salt Lake City, UT 84114
(801)538-3800

**BEFORE THE INSURANCE COMMISSIONER
STATE OF UTAH**

**UTAH INSURANCE DEPARTMENT
COMPLAINANT**

vs.

**HEALTH CARE SERVICE CORPORATION,
A MUTUAL LEGAL RE
ATT: DEBORAH DORMAN-RODRIGUEZ
& BRIAN CHARLTON
300 EAST RANDOLPH STREET
CHICAGO IL 60601
Utah Company Id. No.: 13135
RESPONDENT,**

**NOTICE OF INFORMAL
AGENCY ACTION
AND ORDER**

Docket No. 2014-031 HL
Enf. Case No. 3460

Judge Mark Kleinfeld
Administrative Law Judge

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Ann. §§ 31A-2-201 and 63G-4-201 and Utah Admin. Code R590-160. Based upon information contained in agency files or known to the Department, the Department asserts the following facts:

FACTS

1. Respondent is an insurer domiciled in the State of Illinois and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 13135.
2. Respondent is an accident & health insurer that reported ASO business in Utah on the *2012 Utah Accident & Health Survey* and is required to file the *2012 Utah Accident & Health Survey (Follow-Up Supplement) for Administrative Services Business* according to the instructions sent via email.

3. Respondent failed to properly respond to a 1st Notice email dated November 21st, 2013, to provide a substantive response to the Commissioner's initial inquiry on or before December 13th, 2013.

4. Respondent was contacted by phone on January 7th, 2014, and verbally given an extension until January 22nd, 2014.

6. Respondent requested a 2nd extension via email on January 30th, 2014, and was sent an email granting a 2nd extension until February 7th, 2014.

7. Respondent requested a 3rd extension by phone on February 10th, 2014, and was sent an email granting a 3rd extension until February 21st, 2014.

8. Respondent failed to properly file the *2014 Utah Accident & Health Survey (Follow-Up Supplement) for Administrative Services Business* on or before March 10th, 2014 as requested in a Final Notice Letter dated February 28th, 2014.

BASED UPON THE FOREGOING FACTS

1. In failing to submit a timely response to an inquiry from the Commissioner, the Respondent has violated Utah Code § 31A-2-202(4).

Based upon the foregoing facts, the Commissioner now enters the following Order:

ORDER

IT IS HEREBY ORDERED:

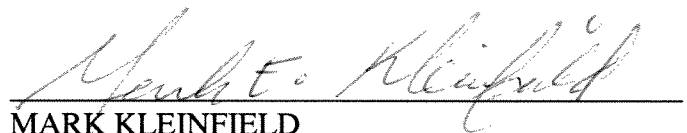
1. Respondent is assessed an administrative forfeiture in the amount of \$750.00. Said forfeiture shall be paid no later than ten (10) days after the date this Order becomes final.

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.

DATED THIS 13th day of March, 2014.

TODD E. KISER
INSURANCE COMMISSIONER



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

NOTIFICATION

If you request a hearing regarding this matter, the Department will be represented by Gary Josephson, Assistant Attorney General, 160 East 300 South, Fifth Floor, P.O. Box 140874, Salt Lake City, Utah 84114-0874, Telephone Number (801) 366-0375. 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.