

Utah Insurance Department
State Office Building, Rm 3110
Salt Lake City, UT 84114
Brent Oscarson
801-538-3195

**BEFORE THE INSURANCE COMMISSIONER
STATE OF UTAH**

UTAH INSURANCE DEPARTMENT,	:	NOTICE OF INFORMAL
COMPLAINANT	:	AGENCY ACTION
	:	AND ORDER
vs.	:	
	:	
New York Life Insurance & Annuity Corp.,	:	Docket No. 3468
License No. 226496	:	
RESPONDENT.	:	Enf. Case No. 2014-041 HL
	:	Judge Mark Kleinfeld
	:	Administrative Law Judge

The Utah Insurance Department has commenced this informal adjudicative proceeding pursuant to Utah Code Annotated §§ 31A-2-201 and 63G-4-201 and Utah Administrative Code 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 an insurer domiciled in the State of Delaware and authorized to do the business of insurance in the State of Utah, Utah Company Identification No. 1189.
2. Respondent is an insurer that markets Long Term Care Insurance Policies and was required, under Utah Administrative Code Rule R590-148-25, to electronically file its Replacement and Lapse Report, its Claims Denial Report, its Rescission Report, and its Suitability Report on or before June 30th, of each year.

3. Respondent failed to electronically file its Replacement and Lapse Report, its Claims Denial Report, its Rescission Report, and its Suitability Report on or before June 30, 2013, and said reports have not been filed as of the date of this Order.

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

CONCLUSION OF LAW

1. In failing to electronically file its Long Term Care Reports on or before June 30, 2013, Respondent violated Utah Admin. Code Rule R590-148-25.

2. Pursuant to Utah Code Annotated § 31A-2-308, the commissioner may impose an administrative forfeiture on an insurer of up to \$5,000.00 for each violation of the Utah Insurance Code.

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

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 file the reports not properly filed within 10 day 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 29 day of May, 2014.

TODD E. KISER
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

NOTIFICATION

If you request a hearing regarding this matter, please contact the Brent Oscarson, at 801-538-3195. 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.

CERTIFICATE OF MAILING

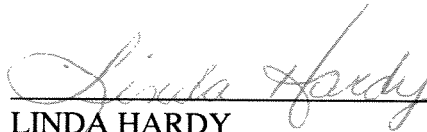
I do hereby certify that on this date I mailed, by regular mail, postage prepaid a true and correct copy of the attached:

NOTICE OF INFORMAL
AGENCY ACTION
AND ORDER

To the following:

New York Life Insurance & Annuity
Attn: Andrew Amenn
51 Madison Avenue, Rm 252
New York, NY 10010

DATED this 29th May, 2014



LINDA HARDY
UTAH INSURANCE DEPARTMENT
STATE OFFICE BUILDING, ROOM 3110
SALT LAKE CITY, UT 84114-6901



State of Utah

GARY R. HERBERT
Governor

SPENCER J. COX
Lieutenant Governor

Insurance Department

UTAH Invoice - Original

ANDREW AMENN
NEW YORK LIFE INSURANCE & ANNUITY CORP
51 MADISON AVE RM 252
NEW YORK NY 10009

Printed Date: May 29, 2014
Invoice Date: May 29, 2014
Balance Due: \$750.00
Due Date: June 23, 2014
Invoice ID: 696872
Payor ID: 1189

Date	Item Description	Amount
05-29-2014	Monetary Penalty Company	\$750.00

E-Case 3468 Docket 2014-041 HL

No Adjustments

No Payments

Balance Amount Due \$750.00

UTAH Invoice - Original

Make check payable to: Utah Insurance Department
Send payment to:
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114-6901

Invoice Date: May 29, 2014
Balance Due: \$750.00
Due Date: June 23, 2014
Invoice ID: 696872
Payor ID: 1189

E-Case 3468 Docket 2014-041 HL

Detach and Return this Voucher with Payment
Payments Will Not Be Processed without Voucher