

4. On July 11, 2018, the daughter of the insured filed a complaint with the Department because the claim had not been paid.

5. On July 30, 2018, Respondent contacted the Department and acknowledged the delay in making a claim decision. The benefit payment was issued to the Complainant on August 24, 2018.

6. On August 30, 2018, Respondent acknowledged to the Department that its Claim Department did not send delay letters every 30 days as required.

7. On January 7, 2019, Respondent emailed the Department a copy of the claim settlement.

8. The Department and Respondent have agreed to an administrative forfeiture of \$2,000.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department's licensees who violate the Utah Insurance Code. Utah Code § 31A-2-308.

3. Respondent violated Utah Code § 31A-26-301(3) by failing to timely pay a valid claim.

4. Respondent violated Utah Admin R590-191-4(9) by failing to provide a written explanation as to the reasons for the delay at least every 30 days until the claim was settled or denied.

5. As penalties for the violations in this case, Respondent should be ordered to pay a

forfeiture of \$2,000.00.

ORDER

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent shall pay a forfeiture of \$2,000.00 for the violations described in the Conclusions of Law.
2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 8th day of February, 2019.

TODD E. KISER
Utah Insurance Commissioner



Lisa Watts Baskin
Presiding Officer
Utah Insurance Department

NOTICE TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 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.