

HELEN A. FROHLICH #8814
Assistant Attorney General
SEAN D. REYES #7969
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, 5th Floor
P.O. Box 140874
Salt Lake City, Utah 84114-0874
Telephone: (801)366-0375
Email: hfrohlich@agutah.gov

BEFORE THE UTAH INSURANCE COMMISSIONER

<p>UTAH INSURANCE DEPARTMENT, Complainant, vs. BUFFETT SENIOR HEALTHCARE CORP., Respondent.</p>	<p>NOTICE OF AGENCY ACTION AND ORDER Docket No. 2019-4092 Lisa Watts Baskin Presiding Officer</p>
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NOTICE OF AGENCY ACTION

The Utah Insurance Department (“the Department”) commences this agency action against Respondent Buffett Senior Healthcare Corp. (“Respondent”) pursuant to Utah Code §§ 31A-2-201 and 63G-4-201 through 203 and to Utah Admin. Code R590-160.

This agency action is based on the facts and law set forth in the attached Declaration and is designated as an informal adjudicative proceeding pursuant to Utah Code § 63G-4-202(1) and Utah Admin Code R590-160-4 and 7.

ORDER

Based on the facts and the law set forth in the attached Declaration, and good cause appearing, the Utah Insurance Commissioner orders as follows:

1. Respondent's Non Resident Producer Organization License No. 420521 is revoked.

2. Pursuant to Utah Code § 63G-4-203(1)(i) and Utah Admin. Code R590-160-7(1), this informal adjudicative proceeding shall be deemed closed, and this Order shall become final and take full effect, 15 days after this Notice of Agency Action and Order is emailed to Respondent unless a request for a hearing on this matter is received from Respondent prior to that date.

3. A request for a hearing shall be sent by email to uidadmincases@utah.gov or by U.S. mail to Office of the Administrative Law Judge, Utah Insurance Department, 3110 State Office Building, Salt Lake City, UT 84114. The request for hearing shall be signed by the person making the request and shall state the basis for the relief requested.

4. If you fail to request a hearing you will be bound by this Order. Failure to request a hearing will be deemed a failure to exhaust administrative remedies and will preclude any further administrative or judicial review or appeal of this matter.

DATED this 13th day of March.

TODD E. KISER
Utah Insurance Commissioner



LISA WATTS BASKIN
Presiding Officer
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
801-538-3800
Email: uidadmincases@utah.gov

NOTICE REGARDING ENFORCEMENT OF THE ORDER

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500 per violation, license suspension or revocation, further enforcement action before the Utah District Court where forfeitures of up to \$10,000 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

DECLARATION

Under criminal penalty of Utah law, I, Bill Stimpson, declare the following:

1. I am currently employed as a Market Conduct Examiner with the Utah Insurance Department (“Department”) where my responsibilities include investigating and enforcing Utah insurance laws.
2. I submit this Declaration as the basis for issuing the Notice of Agency Action and Order against Buffett Senior Healthcare Corp. to which this Declaration is attached.
3. Based on my personal knowledge and/or based on the facts appearing in the Department’s records and files, the following facts are true:
 - a. Respondent is a Non Resident Producer Organization authorized to do insurance business in the State of Utah. Respondent’s License No. is 420521.
 - b. Administrative action was taken against Respondent in Louisiana on August 14, 2018 and in North Carolina on December 21, 2017. Respondent did not report these actions to the Department within 30 days as required by statute.
 - d. On November 27, 2018, the Department sent an information request to Respondent’s email address listed in Sircon which was immediately returned as undeliverable.
 - e. On December 17, 2018, I spoke with Ava Green in Respondent’s human resources department who provided me with an updated email address and her direct phone number. I emailed the information request to her on the same day.
 - f. On December 27, 2018, the Department received a response from the Respondent.
 - g. On January 22, 2019, the Department emailed a request for additional information and did not receive a response.

h. On February 4, 2019, I left a voicemail with Ms. Green following up on the January 22 request. She did not return my call

i. On February 4, 2019, the Department emailed another letter requesting additional information and did not receive a response.

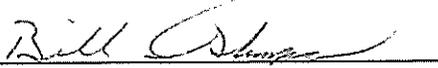
4. The above declared facts demonstrate that the following Utah insurance law(s) were not complied with:

a. Respondent violated Utah Code § 31A-2-202(4) by failing to reply promptly in writing to a reasonable written inquiry from the Commissioner.

b. Respondent violated Utah Code § 31A-23a-111(5) by refusing to give correct information with respect the agency's business affairs.

5. Based on the facts and law set forth above, Utah Code § 31A-23a-111(5)(b)(ii), and other similar enforcement cases, Buffet Senior Healthcare Corp.'s Non Resident Producer Organization License should be revoked.

DATED this 11 day of March, 2019.



Bill Stimpson
Utah Insurance Department