



OFFICE OF INSURANCE REGULATION

FILED

DEC 30 2008

KEVIN M. McCARTY
COMMISSIONER

OFFICE OF
INSURANCE REGULATION
Docketed by: FT

IN THE MATTER OF:

CASE NO.: 97688-08-CO

AETNA LIFE INSURANCE COMPANY
Life and Health Market Investigation

CONSENT ORDER

THIS CAUSE came on for consideration upon agreement between AETNA LIFE INSURANCE COMPANY (hereinafter referred to as "AETNA LIFE") and the OFFICE OF INSURANCE REGULATION (hereinafter referred to as the "OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of; and parties to, this proceeding.
2. AETNA LIFE is a foreign insurer authorized to transact life and health insurance business in Florida, and is subject to the jurisdiction and regulation of the OFFICE pursuant to the Florida Insurance Code.
3. The OFFICE conducted an investigation of AETNA LIFE pursuant to Section 624.318, Florida Statutes. As a result of such investigation, the OFFICE determined AETNA LIFE violated the following provision of the Florida Insurance Code:
 - a. Section 624.428, Florida Statutes – No insurer shall deliver or issue for delivery in this state any policy of health insurance, unless the application for such policy or contract is

taken by, and the delivery of such policy is made through, a resident or nonresident insurance agent of the insurer duly licensed and appointed under the law of this state, who shall receive the usual commission due to an agent from such insurer.

4. AETNA LIFE expressly waives a hearing in this matter, and the making of Findings of Fact and Conclusions of Law by the OFFICE, and all further and other proceedings herein to which the parties may be entitled by law or rules of the OFFICE. AETNA LIFE hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order, in any forum now or in the future available to it, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. AETNA LIFE agrees upon the execution of this Consent Order it shall be subject to the following terms and conditions:

a. AETNA LIFE is assessed an administrative penalty of Five Thousand Dollars (\$5,000) and administrative costs of Three Thousand Dollars (\$3,000). Due to the unique facts and circumstances of this case, the OFFICE waives the Five Thousand Dollar (\$5,000) penalty. Accordingly, AETNA LIFE shall remit the remaining Three Thousand Dollar (\$3,000) administrative costs on or before the thirtieth (30th) day after this Consent Order is executed.

b. AETNA LIFE shall, within thirty (30) days of the execution of this Consent Order, provide to the OFFICE a certification signed by an officer of AETNA LIFE that all policyholders with an inforce policy have received notification that a Florida licensed and appointed agent has been assigned to their policy; and the electronic application process insures that no health insurance policy is delivered or issued for delivery, unless the application for such policy is taken by, and the delivery of such policy is made through, and insurance agent of the insurer duly licensed and appointed under the laws of this state.

6. AETNA LIFE is hereby placed on notice of the requirements of the above referenced section of law, and agrees any future violations of this section by AETNA LIFE may be deemed willful, subjecting AETNA LIFE to appropriate penalties.

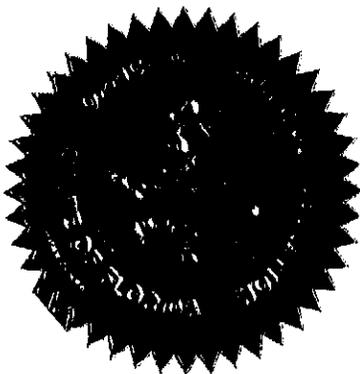
7. AETNA LIFE agrees the failure to adhere to one or more of the above terms and conditions of this Consent Order shall constitute a violation of a lawful order of the OFFICE, and shall subject AETNA LIFE to such administrative action as the OFFICE may deem appropriate.

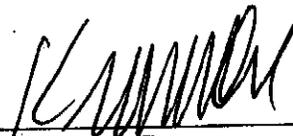
8. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

WHEREFORE, the agreement between AETNA LIFE and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions above are hereby ORDERED.

DONE AND ORDERED this 30 day of December, 2008.





Kevin M. McCarty
Commissioner
Office of Insurance Regulation

By execution hereof, AETNA LIFE INSURANCE COMPANY. consents to entry of this Consent Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that he or she has the authority to bind AETNA LIFE INSURANCE COMPANY to the terms and conditions of this Consent Order.

AETNA LIFE INSURANCE COMPANY
By: [Signature]
Print Name: Gregory S. Martino
Title: Vice President
Date: 12-15-08

Corporate Seal

STATE OF Pennsylvania
COUNTY OF Montgomery

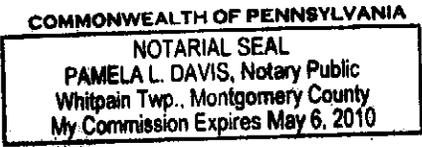
The foregoing instrument was acknowledged before me this 15th day of December 2008, by Gregory S. Martino, who is personally known to me or has produced the following identification _____.

[Signature]
Signature of Notary

[Notarial Seal]

Print or Type Name

My Commission Expires:



COPIES FURNISHED TO:

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