

FILED

APR 26 2011



OFFICE OF INSURANCE REGULATION

Dictated by:

kp

KEVIN M. McCARTY
COMMISSIONER

IN THE MATTER OF:

AMERICAN HERITAGE LIFE INSURANCE COMPANY
2010 Market Conduct Investigation

CASE NO.: 115623-11

CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between AMERICAN HERITAGE LIFE INSURANCE COMPANY (hereinafter referred to as "AMERICAN HERITAGE") 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. AMERICAN HERITAGE is a domestic life and health insurer authorized to transact 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 AMERICAN HERITAGE, pursuant to Section 624.318, Florida Statutes. As a result, the OFFICE determined that AMERICAN HERITAGE violated the following provision of the Florida Insurance Code:
 - a) Section 627.419(1), Florida Statutes – Failure to follow the terms as set forth in the policy.

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

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

a) AMERICAN HERITAGE shall pay a penalty of \$25,000 and administrative costs of \$3,000 within 30 days of the execution of the Consent Order.

b) AMERICAN HERITAGE shall henceforth comply with all of the provisions of the Florida Insurance Code and the Florida Administrative Code.

c) AMERICAN HERITAGE is hereby placed on notice of the requirements of the above referenced section of law and agrees that any future violations of this section by AMERICAN HERITAGE may be deemed willful, subjecting AMERICAN HERITAGE to appropriate penalties.

d) AMERICAN HERITAGE must provide to the OFFICE certification by an officer of the Company that a procedural review has been completed to ensure that insurance contracts are properly amended prior to implementing a policy change. The certification is to be received within 30 days of the execution of the Consent Order.

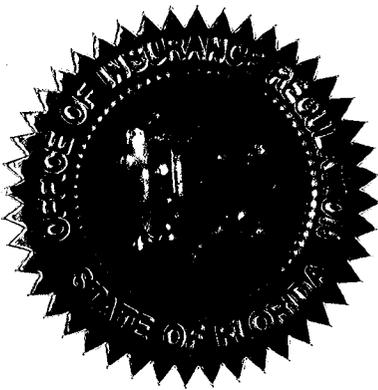
6. AMERICAN HERITAGE agrees that the failure to adhere to one or more of the above terms and conditions of this Order shall constitute a violation of a lawful order of the OFFICE, and shall be subject to such administrative action as the OFFICE may deem appropriate.

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

THEREFORE, the agreement between AMERICAN HERITAGE 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 26 day of April, 2011.



A handwritten signature in black ink, appearing to read "Kevin M. McCarty", written over a horizontal line.

KEVIN M. McCARTY
Commissioner
Office of Insurance Regulation

By execution hereof, AMERICAN HERITAGE 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 AMERICAN HERITAGE LIFE INSURANCE COMPANY to the terms and conditions of this Consent Order.

AMERICAN HERITAGE LIFE INSURANCE COMPANY

Corporate Seal

By Deborah Burgi

Deborah Burgi
Print or Type Name

Title: Assistant Vice-President, Legal

Date: 4-12-2011

STATE OF Florida

COUNTY OF Duval

The foregoing instrument was acknowledged before me this 12th day of April 2011,

by Deborah Burgi as Officer
(Name of person) (type of authority.... e.g. officer, trustee attorney in fact)

for American Heritage Life Insurance Company
(company name)



Marcelle E Gillis
(Signature of the Notary)

Marcelle E Gillis
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known or Produced Identification _____

Type of Identification Produced _____

[NOTARIAL SEAL]

My Commission Expires:

COPIES FURNISHED TO:

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