



OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
DIRECTOR

IN THE MATTER OF:

CASE NO.: 62687-02-CO

LIFE INVESTORS INSURANCE COMPANY OF AMERICA  
Life and Health Market Conduct Investigation

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CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between LIFE INVESTORS INSURANCE COMPANY OF AMERICA, (hereinafter referred to as "LIFE INVESTORS"), and the OFFICE OF INSURANCE REGULATION of the FINANCIAL SERVICES COMMISSION, (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. LIFE INVESTORS is a foreign 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 has conducted an investigation of LIFE INVESTORS, pursuant to Section 624.318, Florida Statutes. As a result of such investigation, the OFFICE determined that LIFE INVESTORS committed the following violations of the Florida Insurance Code and the Florida Administrative Code:

a. Failure to file for approval with the OFFICE, the Medicare Supplement form F-65872 and corresponding rates in violation of Section 627.6736, Florida Statutes.

b. Failure to file for approval of the OFFICE, the form and premium changes required by changes in Medicare Part B deductible in violation of Rule 4-156.006(1)d, Florida Administrative Code.

4. The OFFICE and LIFE INVESTORS expressly waive 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. LIFE INVESTORS hereby knowingly and voluntarily waives all rights to challenge or to contest this Order, in any forum now available to it, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

5. LIFE INVESTORS acknowledges that the failure to adhere to one or more of the terms and conditions of this Order shall constitute a violation of a lawful order of the OFFICE, and shall subject LIFE INVESTORS to such administrative action as the OFFICE may deem appropriate.

6. LIFE INVESTORS acknowledges that upon the execution of this Consent Order, it shall be subject to the following terms and conditions:

a. LIFE INVESTORS shall pay a penalty of \$10,000 and administrative costs of \$1,000 on or before the 30<sup>th</sup> day after this Consent Order is executed.

b. LIFE INVESTORS shall file with the OFFICE Medicare Supplement Form F-65872 and any amendments required by changed Medicare benefits, as well as the applicable rates within thirty (30) days after execution of this Consent Order.

c. LIFE INVESTORS is hereby placed on notice of the requirements of the above referenced sections of the Florida Insurance Code and the Florida Administrative Code and acknowledges that any future violations of them may be deemed willful, subjecting LIFE INVESTORS to appropriate penalties.

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

THEREFORE, the agreement between LIFE INVESTORS 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 27<sup>th</sup> day of October, 2004.



Kevin M. McCarty, Commissioner  
Office of Insurance Regulation

By execution hereof LIFE INVESTORS consents to entry of this Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. I am authorized to execute this document.

LIFE INVESTORS INSURANCE COMPANY OF AMERICA

By: \_\_\_\_\_

Edward H. Walker, III  
(Typed or Printed Name)

Title: Vice President

Date: 8/27/2004

Corporate Seal

State of MD

City

County of Baltimore

On August 27<sup>th</sup> 2004 before me, Barbara J. Maziarczyk personally appeared Edward H. Walker, III, personally known to me

(or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he/she executed the same in his/her authorized capacity, and that by his/her signature on the instrument, the person or the entity upon whose behalf the person acted, executed the instrument.

Subscribed and sworn to before me this 27<sup>th</sup> day of August, 2004.

Signature \_\_\_\_\_ [NOTARIAL SEAL]  
(Signature of Notary Public)

My Commission Expires: Corporate Seal

State of Maryland

My Commission Expires: 11/1/06

COPIES FURNISHED TO:

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