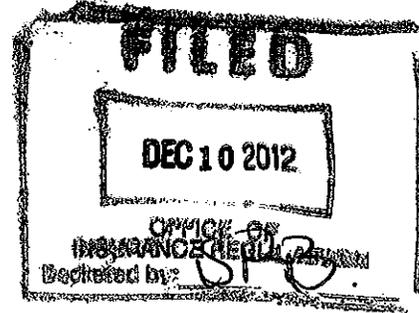




OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
COMMISSIONER



IN THE MATTER OF:

127161-12-CO

METROPOLITAN LIFE INSURANCE COMPANY

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CONSENT ORDER

THIS CAUSE came on for consideration as the result of an agreement between METROPOLITAN LIFE INSURANCE COMPANY (hereinafter referred to as "METROPOLITAN") 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. METROPOLITAN is a foreign 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 METROPOLITAN for the period of April 2006 through July 2010, pursuant to Sections 624.316 and 624.318 Florida Statutes. As a result, the OFFICE alleges that METROPOLITAN annually increased the premium rate for group dental in excess of one-year without filing or receiving approval of rate change(s) from the OFFICE. Rate changes, trend or otherwise, are only approved for a one-year period. METROPOLITAN'S "Price Adjustment for Favorable Risk Classification" rate filing approved

by the OFFICE on September 14, 2000 could be applied in a discriminatory fashion. The OFFICE alleges that METROPOLITAN has violated the following provisions of the Florida Insurance Code and/or Florida Administrative Code:

- a) Section 627.410(6) Florida Statutes - Failure to file a change in rating schedule.
- b) Rule 690-149.002(1) Florida Administrative Code - Incorporated premium rate changes within one year without filing or had approval of rate changes.

4. The OFFICE and METROPOLITAN 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. METROPOLITAN hereby knowingly and voluntarily waives 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. METROPOLITAN agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

(a) METROPOLITAN shall pay an administrative penalty of One Hundred Thousand and No/100 Dollars (\$100,000) and administrative costs of Three Thousand and No/100 (\$3,000) on or before the 30th day after this Consent Order is executed.

(b) METROPOLITAN shall file and receive approval of the "Price Adjustment for Favorable Risk Classification" to make it clear that the credits are uniformly applied to all eligible groups.

(c) METROPOLITAN shall comply with its rating schedule forms on file with the OFFICE.

(d) METROPOLITAN is hereby placed on notice of the requirements of the above referenced sections of law and agrees that any future violations of these sections by

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METROPOLITAN may be deemed willful, subjecting METROPOLITAN to appropriate penalties.

6. METROPOLITAN 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.

8. THEREFORE, the agreement between METROPOLITAN 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 10TH day of DECEMBER 2012.



  
Kevin M. McCarty, Commissioner  
Office of Insurance Regulation

Commissioner Expires March 1, 2012  
Certified True in New York County  
Qualified in Queens County  
No. 01180013003  
Notary Public, State of New York  
BRENDA CHARELLO

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

METROPOLITAN LIFE INSURANCE COMPANY

By Paul Piechnik

Corporate Seal

Paul Piechnik  
Print or Type Name

Title: Vice President and Actuary

Date: 11/13/2012

STATE OF New York

COUNTY OF Queens

The foregoing instrument was acknowledged before me this 13<sup>th</sup> day of November 2012,

by Paul Piechnik as Vice President and Actuary  
(Name of person) (type of authority.... e.g. officer, trustee attorney in fact)

for Metropolitan Life Insurance Company  
(company name)

Brenda Chiarello  
(Signature of the Notary)

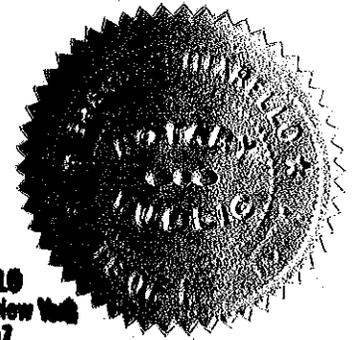
BRENDA CHIARELLO  
(Print, Type or Stamp Commissioned Name of Notary)

Personally Known \_\_\_\_\_ or Produced Identification

Type of Identification Produced MetLife Company ID.

[NOTARIAL SEAL]

My Commission Expires: 3-1-15



**BRENDA CHIARELLO**  
Notary Public, State of New York  
No. 01CH6020407  
Qualified in Queens County  
Certificate Filed in New York County  
Commission Expires March 1, 2015

COPIES FURNISHED TO:

CARL ROBERT HENRIKSON, PRESIDENT  
CEO and Chairman of the Board  
Metropolitan Life Insurance Company  
18210 Crane Nest Drive, 3rd Floor  
Tampa, FL 33647

JIM PAFFORD, DIRECTOR  
Office of Insurance Regulation  
Market Investigations  
200 East Gaines Street  
Tallahassee, FL 32399-4210

WILLIAM N. SPICOLA  
Assistant General Counsel  
Florida Office of Insurance Regulation  
Legal Services Office  
200 East Gaines Street, Suite 645A-6  
Tallahassee, Florida 32399-4206

A. KENNETH LEVINE, ESQUIRE  
Edwards Wildman Palmer LLP  
525 Okeechobee Boulevard, Suite 1600  
West Palm Beach, Florida 33401