



THE TREASURER OF THE STATE OF FLORIDA  
DEPARTMENT OF INSURANCE

TOM GALLAGHER

IN THE MATTER OF:

CASE NO.: 61891-02-CO

**RECEIVED**

UNITED TEACHER ASSOCIATES  
INSURANCE COMPANY  
Life and Health Market Conduct Investigation

OCT 22 2002

Life & Health Market Conduct  
Division of Insurer Services

**CONSENT ORDER**

THIS CAUSE came on for consideration as the result of an agreement between UNITED TEACHER ASSOCIATES INSURANCE COMPANY, (hereinafter referred to as "UNITED TEACHER") and the FLORIDA DEPARTMENT OF INSURANCE, (hereinafter referred to as the "DEPARTMENT"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the DEPARTMENT hereby finds as follows:

1. The DEPARTMENT has jurisdiction over the subject matter of, and parties to, this proceeding.
2. UNITED TEACHER is a foreign insurer authorized to transact insurance business in Florida and is subject to the jurisdiction and regulation of the DEPARTMENT pursuant to the Florida Insurance Code.
3. The DEPARTMENT has conducted an investigation of UNITED TEACHER, pursuant to Section 624.318, Florida Statutes. As a result of such

investigation, the DEPARTMENT determined that UNITED TEACHER committed the following violation(s) of the Florida Insurance Code:

a. Failure to file the required annual rate filings on Form GW-GMS-32-8 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

b. Failure to file the required annual rate filings on Form GWG-76-8 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

c. Failure to file the required annual rate filings on Form GWG 85-8 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

d. Failure to file the required annual rate filings on Form GWG 93-8 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

e. Failure to file the required annual rate filings on Form GWG 97-8 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

f. Failure to file the required annual rate filings on Form P1-66353 in the years 1998 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

g. Failure to file the required annual rate filings on Form P1-67720 in the years 1998 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

h. Failure to file the required annual rate filings on Form H-645 in the

years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

i. Failure to file the required annual rate filings on Form H-700 in the years 1997, 1998, and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

j. Failure to file the required annual rate filings on Form 646 in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

k. Failure to file the required annual rate filings on Form 665 in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

l. Failure to file the required annual rate filings on Form 666 in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1., Florida Administrative Code.

m. Failure to file the required annual rate filings on Form 680 in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

n. Failure to file the required annual rate filings on Form 685 in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

o. Failure to file the required annual rate filings on Form 911(EM) in the years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

p. Failure to file the required annual rate filings on Form 914(EM) in the

years 1999 and 2000 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

q. Failure to file the required annual rate filings on Form 923A in the years 1999 and 2001 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

r. Failure to file the required annual rate filings on Form 923B in the years 1999 and 2001 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

s. Failure to file the required annual rate filings on Form 923C in the years 1999 and 2001 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

t. Failure to file the required annual rate filings on Form 923F in the years 1999 and 2001 in violation of Section 627.410(7)(a), Florida Statutes and Rule 4-156.011(3)(a)1, Florida Administrative Code.

4. UNITED TEACHER shall file with the Department all outstanding rate filings on the above policy forms within 60 days of the execution of this Consent Order.

5. The DEPARTMENT and UNITED TEACHER expressly waive a hearing in this matter, and the making of Findings of Fact and Conclusions of Law by the DEPARTMENT and all further and other proceedings herein to which the parties may be entitled by law or rules of the DEPARTMENT. UNITED TEACHER 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.

6. UNITED TEACHER agrees 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 DEPARTMENT, and shall subject UNITED TEACHER to such administrative action as the Treasurer and Insurance Commissioner may deem appropriate.

7. UNITED TEACHER agrees that upon the execution of this Consent Order it shall be subject to the following terms and conditions:

a. UNITED TEACHER shall pay a penalty of \$25,000 and administrative costs of \$2,000 on or before the 30th day after this Consent Order is executed.

b. UNITED TEACHER shall henceforth comply with all of the provisions of the Florida Insurance Code and complete the required corrective actions as stated here within 60 days of entry of this Consent Order.

c. UNITED TEACHER 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 UNITED TEACHER may be deemed willful, subjecting UNITED TEACHER to appropriate penalties.

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

9. THEREFORE, the agreement between UNITED TEACHER and the DEPARTMENT, 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 17<sup>th</sup> day of October, 2002.



KEVIN McCARTY  
Deputy Insurance Commissioner

By execution hereof UNITED TEACHER ASSOCIATES INSURANCE COMPANY 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.

UNITED TEACHER ASSOCIATES  
INSURANCE COMPANY

By:

Michael T Reidy  
(Typed or Printed Name)

Title:

General Counsel

Date:

10/9/02

**COPIES FURNISHED TO:**

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