

STATE CORPORATION COMMISSION

AT RICHMOND, MAY 3, 2002

COMMONWEALTH OF VIRGINIA

At the relation of the

STATE CORPORATION COMMISSION

v.

CASE NO. INS-2001-00287

FORTIS INSURANCE COMPANY,

Defendant

SETTLEMENT ORDER

IT APPEARING from a market conduct examination performed by the Bureau of Insurance that Defendant, duly licensed by the Commission to transact the business of insurance in the Commonwealth of Virginia, in certain instances, violated Subsection 1 of § 38.2-502, Subsection 8 of § 38.2-606 and §§ 38.2-503, 38.2-510 A 2, 38.2-510 A 5, 38.2-316 A, 38.2-316 B, 38.2-316 C, 38.2-604 C 4, 38.2-610, 38.2-1318 C, 38.2-1812 A, 38.2-1833 A, 38.2-1834 C, 38.2-3405 A, 38.2-3407.1 B, 38.2-3407.4 A, 38.2-5803 A 4, and 38.2-5804 A of the Code of Virginia, as well as 14 VAC 5-30-60 2 b, 14 VAC 5-40-40 A 1, 14 VAC 5-40-40 A 6, 14 VAC 5-40-60 B, 14 VAC 5-90-40, 14 VAC 5-90-50, 14 VAC 5-90-60 A 1, 14 VAC 5-90-60 A 2, 14 VAC 5-90-60 B 1, 14 VAC 5-90-90-C, 14 VAC 5-90-110, 14 VAC 5-90-130, 14 VAC 5-90-170 A, 14 VAC 5-200-160, 14 VAC 5-200-170 A 5, 14 VAC 5-400-30,

Effective April 9, 2002, the new Case Management System requires that the case number format for all Commission orders change from, e.g., PUE010663 to the following: PUE-2001-00663.

14 VAC 5-400-50 A, 14 VAC 5-400-60 A, 14 VAC 5-400-60 B, and 14 VAC 5-400-70 B;

IT FURTHER APPEARING that the Commission is authorized by §§ 38.2-218, 38.2-219, and 38.2-1040 of the Code of Virginia to impose certain monetary penalties, issue cease and desist orders, and suspend or revoke Defendant's license upon a finding by the Commission, after notice and opportunity to be heard, that Defendant has committed the aforesaid alleged violations;

IT FURTHER APPEARING that Defendant has been advised of its right to a hearing in this matter, whereupon Defendant has made an offer of settlement to the Commission wherein Defendant has tendered to the Commonwealth of Virginia the sum of fifty-seven thousand dollars (\$57,000), waived its right to a hearing, and agreed to the entry by the Commission of a cease and desist order; and

IT FURTHER APPEARING that the Bureau of Insurance has recommended that the Commission accept the offer of settlement of Defendant pursuant to the authority granted the Commission in § 12.1-15 of the Code of Virginia,

IT IS ORDERED THAT:

(1) The offer of Defendant in settlement of the matter set forth herein be, and it is hereby, accepted;

(2) Defendant cease and desist from any conduct which constitutes a violation of Subsection 1 of § 38.2-502, Subsection 8 of § 38.2-606 or §§ 38.2-503, 38.2-510 A 2, 38.2-510 A 5, 38.2-316 A, 38.2-316 B, 38.2-316 C, 38.2-604 C 4, 38.2-610, 38.2-1318 C, 38.2-1812 A, 38.2-1833 A, 38.2-1834 C, 38.2-

3405 A, 38.2-3407.1 B, 38.2-3407.4 A, 38.2-5803 A 4, or 38.2-5804 A of the Code of Virginia, or 14 VAC 5-30-60 2 b, 14 VAC 5-40-40 A 1, 14 VAC 5-40-40 A 6, 14 VAC 5-40-60 B, 14 VAC 5-90-40, 14 VAC 5-90-50, 14 VAC 5-90-60 A 1, 14 VAC 5-90-60 A 2, 14 VAC 5-90-60 B 1, 14 VAC 5-90-90-C, 14 VAC 5-90-110, 14 VAC 5-90-130, 14 VAC 5-90-170 A, 14 VAC 5-200-160, 14 VAC 5-200-170 A 5, 14 VAC 5-400-30, 14 VAC 5-400-50 A, 14 VAC 5-400-60 A, 14 VAC 5-400-60 B, or 14 VAC 5-400-70 B; and

(3) The papers herein be placed in the file for ended causes.

AN ATTESTED COPY hereof shall be sent by the Clerk of the Commission to Christine F. Meyer, Market Conduct Manager, Associate Counsel, Fortis Insurance Company, P.O. Box 3050, Milwaukee, Wisconsin 53201-3050; and the Bureau of Insurance in care of Deputy Commissioner Gerald A. Milsky.