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INSURANCE COMMISSIONER
LEGAL AFFAIRS DIVISION

THE STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

In the Matter of

ABILITY INSURANCE COMPANY,

An Authorized Insurer and Respondent

Docket Nos. 11-0088 and 11-0089

2011 JUN 1 P 3:06

DECLARATION OF
CHERYL SILVERNAIL
Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

I, Cheryl Silvernail, state and declare as follows:

1. My name is Cheryl Silvernail. I make this Declaration based on personal knowledge. I am over the age of eighteen (18) years. I am competent and authorized to testify to the matters set forth herein. I am Gladys White's daughter.
2. My mother purchased her long-term care insurance policy in 1999. After my mother fell and broke her wrist in July 2009, she was hospitalized and then required assisted living at Lynden Grove, a facility in Puyallup that provides long-term care services. On August 4, 2009 I called the insurance company to submit a claim for my mom's coverage under her policy. I spoke with Jerry in the claims department. I asked him if he would be able to get my mother's policy number because I was at work and didn't then have access to that information. He put me on hold, looked up her policy, and returned with her policy number. We went over some information regarding my mom's long-term care insurance, and he explained to me how to get the claim form online. I got the form, completed it, and two days later, faxed it to the company. At no time during my conversation with Jerry did he or anyone else with the insurance company inform me that my mother had not paid her last premium or that there was any issue concerning the policy still being in force. The first time I learned about the nonpayment was September 9, 2009, when I went to my mother's vacated home to collect her mail.
3. My mother is an 87-year-old woman. She is thankfully in an assisted living home in which she feels comfortable. Since her fall in July 2009, we have had to use her savings and

1 retirement annuities to pay for this care because the insurance company has not provided the
2 coverage. I and my siblings have been laboring under the impression that the long-term care
3 insurance which my mother purchased would cover some of her care, but the insurance
4 company has refused to provide the coverage. I have spent countless hours working on this
5 matter, in addition to working at a full time job. Still, the company has refused to provide the
6 coverage. I and the rest of my family have experienced an inordinate amount of stress and
7 frustration during this painful process of trying to get the insurance company to pay the
8 coverage for which my mother had contracted.

9 I declare under penalty of perjury under the laws of the State of Washington that the
10 foregoing is true and correct.

11 EXECUTED this 26th day of May, 2011 at Puyallup, Washington.

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13 Cheryl Silvernail
14 Cheryl Silvernail
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