

STATE OF WASHINGTON

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MIKE KREIDLER
STATE INSURANCE COMMISSIONER



FILED

OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

2013 SEP - 5 A 11: 31
KAC

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Patricia D. Petersen
Chief Presiding Officer
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BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of)	Docket No. 13-0130
)	
ACCESS PLANS, INC. and)	STIPULATION AND AGREED
ALLIANCE HEALTHCARD)	ORDER DISMISSING ADJUDICATIVE
OF FLORIDA, INC.)	PROCEEDINGS
)	
Respondents.)	
)	

TO: Walter D. Willson, Counsel for Respondents
Wells Marble & Hurst
P.O. Box 131
Jackson, Mississippi 39205-0131

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, Chief Deputy Insurance Commissioner
John F. Hamjc, Deputy Commissioner, Consumer Protection Division
Marcia Stickler, Staff Attorney, Legal Affairs Division
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255





OFFICE OF
INSURANCE COMMISSIONER

FILED

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IN THE MATTER OF)	Docket No. 13-0130
)	
)	
ALLIANCE HEALTHCARD)	STIPULATION AND AGREEMENT
OF FLORIDA, INC.,)	ORDER DISMISSING ADDITIONAL
)	PROCEEDINGS
)	
Respondent)	
)	

Heidi J. Willson
Administrative Law Judge
Hearing Officer

STIPULATION

Pursuant to RCW 34.05.060 and WAC 10.08.230(2)(b), the Office of Insurance Commissioner ("OIC"), by and through its designated representative, Marcia Stickler, and Alliance Healthcard of Florida, Inc. ("Respondent" or "the Company"), by and through its undersigned representative and its counsel, Walter D. Willson, hereby stipulate and agree to resolve this matter as follows:

1. On April 7, 2010, Respondent was informed that its application for a license to sell discount plan cards pursuant to RCW 48.155.020 in Washington State was denied. The denial specifically noted that the Company was prohibited from conducting any discount plan activities and operations to which RCW 48.155 applies.

2. Between June 16, 2011 and September 14, 2012, Respondent sold at least 1,318 discount plan cards to Washington residents. Respondent is not licensed as a discount plan organization ("DPO") in the State of Washington under the provisions of RCW 48.155.020(1). Unlicensed discount plan organizations are subject to all of the general provisions of the Insurance Code, Chapter 48 RCW, including 48.15. RCW.

3. By conducting discount plan business without obtaining a license from the Commissioner to operate as a DPO, Respondent violated RCW 48.155.020(1) and RCW 48.15.020(1).

4. In order to fully resolve the pending proceeding between the OIC and Respondent without further administrative or judicial proceedings, and in order to avoid the costs and uncertainties of litigation, the parties agree to fully settle this matter as follows:

4a. Respondent agrees to pay \$131,800 within thirty days of the date of the entry of the subjoined Order.

4b. The parties agree that this Stipulation and Agreed Order is intended to fully resolve all issues regarding Respondent related to the OIC's Amended Notice of Hearing 13-0130 and arising under the Washington insurance code statutes and regulations governing DPOs as of the date of entry of the Order.

4c. This Stipulation is for settlement purposes only, and the fact of, and any provision, finding, or conclusion contained in this Stipulation or the subjoined Order, and any action taken hereunder does not constitute and shall not be construed to constitute, or be admissible in evidence as, any admission of liability by Respondent.

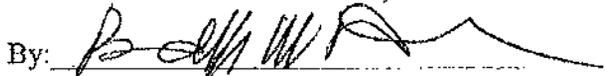
The parties agree that the subjoined Order may be entered forthwith and without further notice.

Dated this 3rd day of September, 2013.


Marcia G. Stickler

Dated this 16 day of August, 2013.

Alliance Healthcard of Florida, Inc.

By: 

Title: EVP

ORDER

This matter having come on before the undersigned Chief Hearing Officer of the State of Washington Office of Insurance Commissioner pursuant to the foregoing Stipulation and the Chief Hearing Officer having reviewed said Stipulation and deeming herself fully advised in the premises, NOW THEREFORE,

IT IS HEREBY ORDERED as follows:

1. Respondent is ordered to pay \$131,800 within thirty days of the date of the entry of this Order.

STIPULATION AND AGREED ORDER

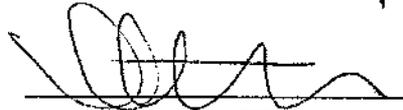
OIC Order No. 13-0130

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Per OIC Alliance Healthcard of Florida, Inc. acquired Access Plans therefore Alliance is its parent company. The OIC agrees that all charges against Access Plans directly are dismissed.

2. OIC Docket Number 13-0130 is hereby closed and dismissed as settled.

SIGNED AND ENTERED this 4th day of September, 2013



PATRICIA D. PETERSEN
Chief Hearing Officer
Office of Insurance Commissioner