

Cairns, Kelly (OIC)

From: Jade Verity [jverity@mdausa.org]
Sent: Monday, April 06, 2015 7:54 AM
To: Drutz, Steve (OIC)
Subject: MDA - Request for Hearing

FILED

2015 APR -6 A 9:14

Dear Steve,

Pursuant to our conversation on March 23, we would like to request a hearing regarding the fine that was assessed against our organization for late filing of our annual report.

Thank you,

Jade Bristol-Verity, Esq.
National Vice President, Legacy Gifts
Muscular Dystrophy Association
c: 301.575.6891

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MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON

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Please reply to: PO Box 40259
Olympia, WA 98504-0259
Fax: 360-586-2022

OFFICE OF
INSURANCE COMMISSIONER

December 17, 2014

Stephen P. Evans
Muscular Dystrophy Association, Inc.
3300 East Sunrise Drive
Tucson, Arizona 85718

RE: Proposed Consent Order No. 14-0239

Dear STEPHEN EVANS:

Enclosed are two originals of a Consent Order imposing a fine. This Order will result in your company being required to pay a fine in lieu of other administrative action relative to its Certificate of Exemption to issue Charitable Gift Annuities in the State of Washington.

Upon receipt from the company of both duplicate original signed Consent Orders, we will sign the documents, enter the Order, and return a fully-executed duplicate original to you. The company will then have 30 days in which to pay the fine.

If we have not received the signed documents by January 5, 2015, this offer is withdrawn and we will proceed with formal administrative action relative to the company's Certificate of Exemption. Please direct all communications regarding this proposed order to the undersigned.

Sincerely,

Steven E. Drutz, CPA, CFE
Chief Financial Analyst
Company Supervision Division
360-725-7209





OFFICE OF
INSURANCE COMMISSIONER

In The Matter Of:

MUSCULAR DYSTROPHY
ASSOCIATION INC.

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No. 14-0239

CONSENT ORDER
LEVYING A FINE

Comes Now the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.38.050, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

FINDINGS OF FACT:

1. MUSCULAR DYSTROPHY ASSOCIATION INC. is a charitable organization registered under Chapter 48.38 RCW holding Certificate of Exemption #242259 to issue charitable gift annuities in the State of Washington.
2. MUSCULAR DYSTROPHY ASSOCIATION INC. is required, under RCW 48.38.010(10), to submit its Annual Report and Actuarial Certification on or before March 1 for the preceding fiscal report year.
3. MUSCULAR DYSTROPHY ASSOCIATION INC. submitted its 2013 Annual Report and Actuarial Certification on or about May 22, 2014; both items being due on or before March 3, 2014.

Based upon the foregoing Findings of Fact, the Commissioner makes the following:

CONCLUSIONS OF LAW:

1. MUSCULAR DYSTROPHY ASSOCIATION INC. failed to meet the filing deadline as required by statute and in doing so has violated RCW 48.38.010(10).
2. RCW 48.38.050 authorizes the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of an organization's certificate.

CONSENT TO ORDER:

MUSCULAR DYSTROPHY ASSOCIATION INC. consents to entry of this Order, waives further administrative or judicial proceedings in this matter, and acknowledges its duty to comply fully with the applicable laws of the State of Washington. The Commissioner has offered a settlement in lieu of suspending or revoking the Certificate of Exemption.

By agreement of the parties, the OIC will impose a fine of \$1,250.00 on the condition that:



1. Within thirty days of the date of this order, MUSCULAR DYSTROPHY ASSOCIATION INC. pays to the OIC the full amount of the fine.
2. MUSCULAR DYSTROPHY ASSOCIATION INC. commits no further violations of the statutes and regulations that are the subject of this Consent Order.
3. MUSCULAR DYSTROPHY ASSOCIATION INC. voluntarily consents to this order to resolve the issues and conduct described herein and with the understanding that the payment of the amount due is a condition to avoiding suspension or revocation of the Certificate of Exemption.

EXECUTED this ____ day of _____, 201_.

MUSCULAR DYSTROPHY ASSOCIATION INC.

By: _____

Printed Name: _____

Typed Corporate Title: _____

ORDER OF THE INSURANCE COMMISSIONER

NOW, THEREFORE, pursuant to the foregoing Findings of Fact, Conclusions of Law, and Consent to Order, the Insurance Commissioner hereby orders as follows:

1. MUSCULAR DYSTROPHY ASSOCIATION INC. is ordered to pay a fine in the amount of \$1,250.00 upon the condition that MUSCULAR DYSTROPHY ASSOCIATION INC. fully complies with the laws and regulations of the State of Washington which are the subject of this Order; and
2. Upon failure to pay the fine within the time limit set forth above, the sum will be recoverable in a civil action brought on behalf of the Insurance Commissioner by the Attorney General of the State of Washington, pursuant to RCW 48.38.050.

ENTERED AT TUMWATER, WASHINGTON, this ____ day of _____, 201_.

MIKE KREIDLER,
Insurance Commissioner

By: _____
WILLIAM R. MICHELS, MBA, CPA, CFE
Deputy Insurance Commissioner
Company Supervision Division