

FILED

MIKE KREIDLER
STATE INSURANCE COMMISSIONER

STATE OF WASHINGTON



Phone: (360) 725-7000
www.insurance.wa.gov
JAN 22 2010

Heather L. OIC
Patrick J. Petersen
Chief Hearing Officer

OFFICE OF
INSURANCE COMMISSIONER

In the Matter of)

No. D 09-0091

Advantage Dental Plan Incorporated,)

CONSENT ORDER

A registered health care service contractor.)

000242892 12/03/09 1,750.00

Comes now the Insurance Commissioner of the State of Washington, pursuant to the authority set forth in RCW 48.01.020, RCW 48.44.160 and RCW 48.44.166, and having reviewed the official records and files of the Office of the Insurance Commissioner, makes the following:

FINDINGS OF FACT

1. Advantage Dental Plan Incorporated is a health care service contractor holding a certificate of registration to transact prepaid health care in the State of Washington, and is therefore governed by Title 48 RCW.
2. RCW 48.44.160 and RCW 48.44.166 provide a process for addressing health care service contractor violations of Title 48 Revised Code of Washington and Title 284 Washington Administrative Code.
3. WAC 284-07-050 requires each health care service contractor to file an additional data statement form (Form IC-13A-IC) along with its annual statement.
4. Advantage Dental Plan Incorporated failed to file with the Insurance Commissioner its December 31, 2008 Form IC-13A-HC by March 2, 2009. The Form remains outstanding.

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

CONCLUSIONS OF LAW

1. Advantage Dental Plan Incorporated by and through the conduct described above has violated Chapter 284-07 WAC by failing to timely file in proper form its Form IC-13A-IC as of December 31, 2008.
2. RCW 48.44.166 authorizes the Insurance Commissioner to impose a fine in lieu of the suspension or revocation of a certificate of registration.

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3. Advantage Dental Plan Incorporated committed the following violation of Washington law:

Advantage Dental Plan Incorporated failed to timely file its December 31, 2008 Form IC-13A-IC in the form required by Chapter 284-07 WAC.

CONSENT TO ORDER

Advantage Dental Plan Incorporated consents to the 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 Insurance Commissioner has offered a settlement in lieu of suspending or revoking the certificate of registration.

By agreement of the parties, the Insurance Commissioner will impose a fine of \$1,750 on condition that:

1. Within thirty days, Advantage Dental Plan Incorporated files Form IC-13A-IC and pays to the Insurance Commissioner the full amount of the fine;
2. Advantage Dental Plan Incorporated commits no further violations of the statutes and regulations that are the subject of this Consent Order;
3. Advantage Dental Plan Incorporated 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 registration.

EXECUTED this 30 day of November, 2009.

Fonda Doney
Signature
Controller
Title

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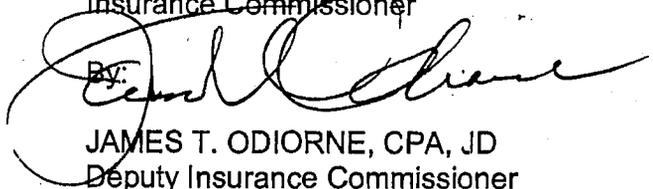
ORDER OF THE INSURANCE COMMISSIONER

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

1. Advantage Dental Plan Incorporated is ordered to file Form IC-13A-IC and pay a fine in the amount of \$1,750 upon the condition that Advantage Dental Plan Incorporated 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 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 48.44.166.

ENTERED TUMWATER, WASHINGTON this 9th day of December, 2009.

MIKE KREIDLER
Insurance Commissioner

By: 

JAMES T. ODIORNE, CPA, JD
Deputy Insurance Commissioner
Company Supervision Division