

FILED

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STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER

Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

In the Matter of

DAYSRING MANAGEMENT, LLC;
PREMIER CLUB BENEFITS; PREMIER
CLUB SERVICES; RJ WILSON AND
ASSOCIATES, LTD; MEDICAL BENEFITS
ADMINISTRATORS OF MARYLAND,
INC.,

Unauthorized Entities, and

Ronald Jack Wilson, et al.,

Principals.

NO. ^D06-377

REQUEST FOR HEARING
PURSUANT TO RCW 48.04.010

Dayspring Management, LLC; Premier Club Benefits; Premier Club Services; RJ Wilson and Associates, Ltd; Medical Benefits Administrators of Maryland, Inc; and principals, through counsel, request a hearing relating to the January 18, 2007 "Order to Cease and Desist" from OIC to Respondents.

I. RELIEF REQUESTED

Respondents request (a) a determination that the multiple employer welfare arrangement at issue is a multi-state plan which is fully insured under the statutory provisions of ERISA as such determination has been made or accepted in many other states, or (b) a specific statement as to the basis for the OIC's claim that the multiple employer welfare arrangement at issue is not fully insured under the statutory provisions of ERISA so

as to permit the Respondents the opportunity to address or correct any such concerns, (c) a determination of what provisions, if any, of Chapter 48.125, Revised Code of Washington, are not subject to preemption under Section 514(b)(6) of ERISA and related statutory provisions, and (d) a determination that the insurance policy purchased for the Premier Group Benefits Services Trust was placed and issued under the laws of the District of Columbia and is not subject to the jurisdiction of the OIC.

II. BASIS FOR RELIEF

The Respondents operate a multiple employer welfare arrangement for which the benefits are guaranteed under a contract, or policy of insurance, issued by an insurance company, insurance service, or insurance organization, qualified to conduct business in a State and which has been determined or accepted in other states as a fully-insured multiple employer welfare arrangement under ERISA and therefore does not constitute the doing business of insurance and is otherwise exempt from much state regulation under the statutory provisions of ERISA. The payment of all benefits under the Premier Club Benefits Plan is guaranteed by A-rated insurers admitted in the State of Illinois and the Plan has a track record of payment of claims in the ordinary course of business.

The Premier Group Benefits Trust is a trust organized under the laws of the District of Columbia for the purpose of facilitating the operation of a national multi-state multiple employer welfare arrangement and the insurance purchased by the trust was properly placed and sold in the District of Columbia.

III. RESPONDENTS ARE AGGRIEVED

Respondents are aggrieved by the requirements imposed by the OIC Cease and Desist Order in that such order prohibits respondents from doing business as otherwise permitted and authorized by law.

IV. ADMINISTRATIVE HEARING

Respondents exercise their right to an OAH administrative law judge pursuant to RCW 48.04.010(5).

Respectfully submitted this 5 day of February, 2007.

CARNEY BADLEY SPELLMAN, P.S.

By 

Timothy J. Parker, WSBA No. 8797

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