



OFFICE OF  
INSURANCE COMMISSIONER  
HEARINGS UNIT

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BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

In the Matter of:	)	
	)	No. D09-0138
UNIFIED LIFE INSURANCE COMPANY	)	
	)	NOTICE OF HEARING
	)	
An Authorized Insurer.	)	
_____	)	

**TO:** Kevin Dill, Assistant Vice President and Associate Actuary  
Unified Life Insurance Company  
Post Office Box 25326  
Overland Park, Kansas 66225-5326

**COPY TO:** Mike Kreidler, Insurance Commissioner  
Mike Watson, Chief Deputy Insurance Commissioner  
Carol Sureau, Deputy Commissioner, Legal Affairs Division  
Marcia Stickler, Staff Attorney, Legal Affairs Division  
Beth Berendt, Deputy Commissioner, Rates and Forms Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

On January 4, 2010 the Insurance Commissioner (Commissioner) received a letter from Kevin Dill, Assistant Vice President and Associate Actuary, appearing on behalf of Unified Life Insurance Company (Unified) in this matter, which letter shall be considered a Demand for Hearing. The purpose of said Demand for Hearing is to contest the Commissioner's Consent Order Levying a Fine, No. D09-0138, dated March 12, 2009.



As stated in his aforementioned proposed Consent Order, the Commissioner's position is that, while Unified is required by RCW 48.20.025(5) to file its individual health plan annual loss ratio for each calendar year by May 31 of the following year, Unified has twice failed to meet that requirement, and is therefore subject to payment of a fine in an amount not less than \$250.00 or more than \$10,000 for each violation, and the Commissioner in his Consent Order has proposed the payment of \$2,750 total.

United has simply declined to accept the Commissioner's Consent Order without stating its specific bases for appeal.

On February 10, 2010, the undersigned held a first prehearing teleconference in this matter. Stephanie Baker, Esq., an attorney and officer of Unified, and Kevin Dill, Assistant Vice President and Associate Actuary, appeared on behalf of Unified. The Commissioner appeared pro se, by and through Marcia Stickler, Esq., Staff Attorney in the Commissioner's Legal Affairs Division. During said prehearing conference, the undersigned reviewed administrative procedure and addressed all questions and concerns of the parties. By agreement of the parties, a hearing was scheduled to commence at 10 a.m., on **Thursday, February 25, 2010 and continue on succeeding days until terminated.** Of note, upon request of Unified, the undersigned ordered that given the nature of this matter, the hearing could be held via teleconference provided that all exhibits to be introduced, along with any other pleadings including memoranda, must be filed by close of business on February 23, 2010 with a copy to opposing counsel by that time. Finally, the parties were informed if they had any future questions or concerns, or requests for additional prehearing conferences, they should contact Josie Bayon, Legal Assistant to the undersigned, who can be reached by telephone at (360) 725-7002, e-mail at [josieb@oic.wa.gov](mailto:josieb@oic.wa.gov), or at the above address.

The hearing will be held under the authority of Title 48 RCW and specifically RCW 48.04, Title 34 RCW and regulations applicable thereto. Pursuant thereto, the Commissioner has delegated to the undersigned the authority to conduct all activities preliminary to the hearing, the hearing and any activities following the hearing, and to determine and enter the final decision in this matter. Pursuant to Title 34 RCW, the undersigned shall handle these activities and make the final decision herein without input or communication with the Commissioner or any member of his staff or others who have knowledge of the facts herein. Ms. Baker and Mr. Dill will represent Unified. The address for Ms. Baker and Mr. Dill is Post Office Box 25326, Overland Park, Kansas 66225-5326 and their telephone number is (913) 871-7348. The Commissioner will appear pro se, by and through Ms. Stickler. Ms. Stickler's address is Office of the Insurance Commissioner, Post Office Box 40255, Olympia, Washington 98504-0255 and her telephone number is (360) 725-7048.

As required by RCW 34.05.434(2)(I), you are advised that a party who fails to attend or participate in the hearing or other stage of the adjudicative proceeding may be held in default in accordance with ch. 34.05 RCW.

Pursuant to WAC 10-08-040(2) and in accordance with ch. 2.42 RCW, if a limited English-speaking or hearing impaired or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore,

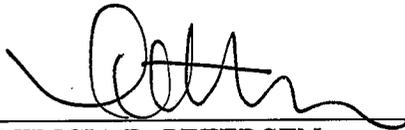
except as may be provided by ch. 2.42 RCW. A Request for Interpreter form is attached to this Notice, with instructions thereon.

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

Based upon the above activity,

**IT IS HEREBY ORDERED** that the adjudicative proceeding in this matter shall commence on Thursday, February 25, 2010, at 10 a.m., Pacific Standard Time. All parties will be contacted by Josie Bayon, Legal Assistant to the undersigned at that time.

ENTERED AT TUMWATER, WASHINGTON, this 18<sup>th</sup> day of February, 2010, pursuant to RCW 48.04, Title 34 RCW and applicable regulations.



PATRICIA D. PETERSEN  
Chief Hearing Officer  
Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above: Unified Life Insurance Company, Mike Kreidler, Mike Watson, Carol Sureau, Marcia Stickler and Beth Berendt.

DATED this 18<sup>th</sup> day of February, 2010.



JOSIE BAYON