

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF LABOR AND REGULATION
STATE OF SOUTH DAKOTA

IN THE MATTER OF)	CONSENT ORDER
UNITED COMMERICAL)	
TRAVELERS OF AMERICA)	

In resolution of the above matter and in lieu of issuance of a Notice of Hearing and a formal hearing, the undersigned parties do hereby agree to the following:

UNITED COMMERICAL TRAVELERS OF AMERICA, (“UCT”) whose mailing address of record is 1801 Watermark Drive #100, PO Box 159019, Columbus, Ohio 43215 is an insurer licensed in the State of South Dakota;

UCT is aware the South Dakota Division of Insurance (“Division”) has conducted an investigation;

The Division alleges the following with regards to UCT:

- 1) UCT failed to timely process approximately 848 clean claims;
- 2) Due to the above conduct, UCT committed 848 violations of SDCL § 58-12-20;
- 3) The above-cited violations provide grounds for the revocation or suspension of UCT’s certificate of authority in South Dakota pursuant to SDCL § 58-6-46.

UCT is aware of and understands the nature of the allegations and has been informed that it has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, waives these rights;

In return for UCT agreeing to and complying with the provisions of this Consent Order, the Division agrees not to proceed to administrative hearing and agrees that this Consent Order will constitute an informal disposition of this matter pursuant to SDCL § 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, UCT waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

UCT agrees to pay \$75,000 pursuant to SDCL § 58-4-28.1, in lieu of an administrative hearing and Final Decision;

UCT further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

UCT further agrees this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

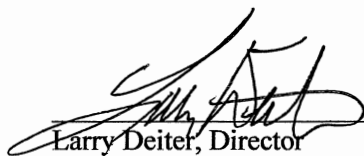
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that UCT pay a monetary penalty in the amount of \$75,000 payable to "South Dakota Division of Insurance" for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that UCT abide by the agreements made by it in this Consent Order; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.


Dated at Pierre, South Dakota this 10th day of February, 2016.



Larry Deitel, Director
South Dakota Division of Insurance

The undersigned, on behalf of UCT represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enters into this Consent Order.

Dated this 12th day of February, 2016.



Signature of Authorized Representative
Joseph Hoffmann

Printed Name
CEO

Title