

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

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IN THE MATTER OF	)	CONSENT ORDER
GENWORTH LIFE INSURANCE COMPANY	)	

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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:

GENWORTH LIFE INSURANCE COMPANY (“GENWORTH”), whose address of record is 6604 W Broad St., Richmond, VA 23230, is an insurance company holding a certificate of authority to transact business in the State of South Dakota;

GENWORTH is aware that the South Dakota Division of Insurance (“Division”) has conducted an investigation of its insurance-related activities in South Dakota;

The Division has alleged the following:

- 1) GENWORTH failed to state at the time of issuance that 11 South Dakota policies qualified for state long-term care insurance partnership policies in violation of ARSD 20:06:21:78;
- 2) Any of the above-cited conduct may be grounds for the revocation or suspension of GENWORTH’s certificate of authority pursuant to SDCL § 58-6-46;

GENWORTH is aware of and understands the nature of the charges and has been informed that it has the right to notice, hearing, and appeal, and that by agreeing to and signing this Consent Order waives these rights;

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

GENWORTH agrees to a monetary penalty in the amount of \$5,000 pursuant to SDCL § 58-4-28.1, in lieu of contesting this matter formally; and

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

GENWORTH agrees that 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;

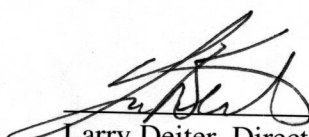
Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that GENWORTH pay a monetary penalty in the amount of \$5,000 payable to “South Dakota Division of Insurance” for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that should GENWORTH fail to comply with the provisions of this Order, the Division may seek the suspension or revocation of GENWORTH's Certificate of Authority at hearing pursuant to SDCL § 58-6-46, or seek other remedies available at law; 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

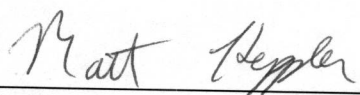
ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 17 day of November, 2019.

  
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Larry Deiter, Director  
South Dakota Division of Insurance

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

Dated this 24 day of October, 2019.

  
\_\_\_\_\_  
Signature of Authorized Representative  
Matt Keppler  
\_\_\_\_\_  
Printed Name  
Senior Vice President  
\_\_\_\_\_  
Title