

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

IN THE MATTER OF UNITED OF OMAHA)
LIFE INSURANCE COMPANY)

CONSENT ORDER

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 OF OMAHA LIFE INSURANCE COMPANY (“UNITED OF OMAHA”), whose address of record is 3300 Mutual of Omaha Plaza, Omaha, NE 68175, is an insurance company holding a Certificate of Authority to transact business in the State of South Dakota;

UNITED OF OMAHA 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) UNITED OF OMAHA issued conditionally renewable accident-only policies in South Dakota;
- 2) UNITED OF OMAHA policies did not meet the minimum loss ratio of 60% as required by ARSD 20:06:22:02, in violation of SDCL 58-1-5 and 58-17-4.2;
- 3) UNITED OF OMAHA implemented a rate reduction for new policies and an increase of benefits without a premium adjustment for existing policies beginning in 2019 to improve the minimum loss ratio;
- 4) UNITED OF OMAHA implemented an additional increase of benefits without a premium adjustment for existing policies beginning in January 2024 to further improve the minimum loss ratio;
- 5) Any of the above-cited conduct may be grounds for the revocation or suspension of UNITED OF OMAHA’s Certificate of Authority pursuant to SDCL 58-6-46, and;

UNITED OF OMAHA 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 UNITED OF OMAHA 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 matter pursuant to SDCL 1-26-20;

UNITED OF OMAHA agrees to a monetary penalty in the amount of \$20,000 pursuant to SDCL 58-4-28.1, in lieu of contesting this matter formally; and

UNITED OF OMAHA further agrees to provide the Division with minimum loss ratio data for the years ending of 2024, 2025, and 2026, and to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

UNITED OF OMAHA further 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 UNITED OF OMAHA pay a monetary penalty in the amount of \$20,000 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 UNITED OF OMAHA fail to comply with the provisions of this Order, the Division may seek the suspension or revocation of UNITED OF OMAHA'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 UNITED OF OMAHA abide by the agreement made by it in this Consent Order.

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 21st day of November, 2024.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of UNITED OF OMAHA LIFE INSURANCE COMPANY, 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 11th day of November, 2024.

pam bishop

Signature of Authorized Representative

Pam Bishop

Printed Name

Manager, Market Conduct

Title