

**In re: FIRST HEALTH LIFE & HEALTH
INSURANCE COMPANY**

**STATE OF MAINE
BUREAU OF INSURANCE
Docket Number: INS-06-214**

**CONSENT AGREEMENT:
Non-compliance with producer appointment
renewal fee requirement**

This document is a Consent Agreement authorized by Title 10 M.R.S.A. § 8003(5), entered into among **FIRST HEALTH LIFE & HEALTH INSURANCE COMPANY**., license number **LHF842**, a corporation domiciled in **TX**; the Maine Superintendent of Insurance; and the Maine Department of the Attorney General. Its purpose is to resolve, in lieu of an adjudicatory proceeding, a violation of Title 24-A M.R.S.A. §1420-M(4).

STATEMENT OF FACTS

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance is the administrative agency with such jurisdiction.
2. **FIRST HEALTH LIFE & HEALTH INSURANCE COMPANY** ("insurer") is an insurer authorized to conduct business in the State of Maine.
3. At all times relevant to the facts herein, Title 24-A M.R.S.A. §1420-M(4) required insurers to remit, in a manner prescribed by the superintendent, a renewal fee for each producer's appointment in the amount set forth in 24-A M.R.S. A. § 601.
4. Bureau records indicate that the Bureau forwarded at least one reminder notice to the insurer's address of record, concerning the invoice that was due prior to **October, 2005**, and Bureau records further reflect that more than 30 days has elapsed, and that insurer has not responded.
5. Bureau records reflect that the insurer's producer appointment renewal fees that were due as of **October, 2005** remain outstanding.

CONCLUSIONS OF LAW

6. Insurer's failure to remit the required appointment renewal fees that were due **October, 2005** constitutes a violation of 24-A M.R.S. A. §§ 601 and 1420-M(4).

COVENANTS

7. This Consent Agreement is entered into in accordance with 10 M.R.S.A. § 8003(5)(B) and is not subject to review or appeal. This Consent Agreement is enforceable by an action in the Superior Court.

8. At the time of executing this Consent Agreement, insurer will remit to the Maine Bureau of Insurance an administrative penalty in the amount of **\$100.00**, payable to the Treasurer of the State of Maine.

9. Insurer will pay all outstanding appointment renewal fees of **\$200.00** when it executes this Consent Agreement, which shall be in addition to the amount paid pursuant to paragraph 8.

MISCELLANEOUS

10. Insurer understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 MRSA § 402, and will be available for public inspection and copying as provided for by 1 MRSA § 408, and will be reported to the NAIC “RIRS” database.

11. Nothing herein shall prohibit the Superintendent from taking any available action in the event that insurer does not comply with the above terms.

12. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

[EXECUTION PAGE FOLLOWS]

**EXECUTION PAGE:
CONSENT AGREEMENT FOR BIENNIAL APPOINTMENT RENEWAL FEES**

FOR INSURER

[FIRST HEALTH LIFE & HEALTH INSURANCE COMPANY]

Dated: _____, _____

By: _____

(printed name)

Its: _____
(Title)

State of _____

County of _____

Subscribed and Sworn to before me
this _____ day of _____, _____.

Notary Public

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: August 9, 2006

_____/s/_____
Alessandro A. Iuppa

FOR THE DEPARTMENT OF THE ATTORNEY GENERAL

Dated: August 14, 2006

_____/s/_____
Assistant Attorney General

(printed name)