

JOHN ALDEN LIFE INSURANCE  
COMPANY  
DOCKET NO. MCINS 98- 41

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CONSENT AGREEMENT

**INTRODUCTION**

This document is a consent agreement, authorized by 5 M.R.S.A. \_ 9053(2) entered into by and among John Alden Life Insurance Company (hereafter also "John Alden") and the Superintendent of the Maine Bureau of Insurance (hereafter the "Superintendent"). Its purpose is to resolve, without resort to an adjudicatory proceeding, violations of the Insurance Code discussed below.

**FACTS**

The parties to this Consent Agreement stipulate to the following facts:

1. John Alden Life Insurance Company has been licensed as a Maine Authorized Life and Health Insurer, Licensee #LHF724, since December 31, 1973.
2. The Superintendent of Insurance is the official charged with administering and enforcing Maine\_s insurance laws and regulations.
3. 24-A M.R.S.A. \_\_ 2837-A (4), 2840 (3) and 2843 (7) state that \_every insurer subject to this section shall report its experience for each calendar year to the superintendent not later than April 30th.\_ These mandated benefit reports must include the amount of claims paid in this State for services required by the referenced sections for mammography, chiropractic, mental health and substance abuse treatment.
4. On May 29, 1998, Bureau Life & Health Senior Insurance Analyst, Marti Hooper wrote to John Alden requesting the annual report concerning Mental Health and Alcoholism and Drug Dependency Treatment claims. A follow-up was sent certified mail on July 7, 1998.
5. In August 1998, Marti Hooper called John Alden to determine if a report would be submitted and discussed the requirement with Pamela Gillespie.
6. On September 2, 1998, the Bureau received a call from John Alden to provide a new contact person for the report.
7. As of September 18, 1998, John Alden has not submitted the annual mandated benefit reports.

**CONCLUSIONS OF LAW**

8. John Alden acknowledges its failure to file the annual mandated benefit reports for 1997 calendar year experience with the Superintendent within the statutorily mandated time period as required by 24-A M.R.S.A. \_\_ 2837-A (4), 2840 (3) and 2843 (7).

**COVENANTS**

9. A formal hearing in this matter is waived and no appeal will be made.

10. At the time of executing this Agreement, John Alden will pay to the Maine Bureau of Insurance a penalty in the amount of five hundred dollars (\$500.00) payable to the Treasurer of the State of Maine.

11. At the time of executing this Agreement, John Alden will provide the annual mandated benefit reports for 1997 calendar year experience required by 24-A M.R.S.A. \_\_ 2837-A (4), 2840 (3) and 2843 (7).

12. In consideration of John Alden\_s execution of and compliance with the terms of this Consent Agreement, the State of Maine agrees to forgo pursuing any disciplinary measures for the actions described above other than those agreed to in this Consent Agreement.

**MISCELLANEOUS**

13. This Consent Agreement may only be modified by the written consent of the parties.

14. John Alden acknowledges that this Consent Agreement is a public record within the meaning of 1 M.R.S.A. \_ 402 and will be available for public inspection and copying as provided for by 1 M.R.S.A. \_ 408.

15. John Alden has been advised of its right to consult with counsel and has, in fact, consulted with counsel priot to executing this Agreement.

**FOR JOHN ALDEN LIFE INSURANCE  
COMPANY**

Dated: \_\_\_\_\_, 1998

By: \_\_\_\_\_  
Signature

For: \_\_\_\_\_

Typed Name

\_\_\_\_\_  
Typed Title

Subscribed and Sworn to before me

this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

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Notary Public

Dated: \_\_\_\_\_, 1998

STATE OF MAINE  
KENNEBEC, SS.

Subscribed and sworn to before me  
this \_\_\_\_\_ day of \_\_\_\_\_, 1998.

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Notary Public/Attorney-at-Law

**FOR THE MAINE  
BUREAU OF INSURANCE**

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**Alessandro A. Iuppa  
Superintendent of Insurance**

**FOR THE MAINE  
ATTORNEY GENERAL**

Dated: \_\_\_\_\_, 1998

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**Judith Shaw Chamberlain  
Assistant Attorney General**