BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE
OFFICE OF THE STATE AUDITOR
STATE OF MONTANA

IN THE MATTER OF THE NATIONAL BETTER LIVING ASSOCIATION, INC.; SELECT BENEFITS SERVICES ASSOCIATION; THE LIFE INSURANCE COMPANY OF NORTH AMERICA; COMPANION LIFE INSURANCE COMPANY; GUARANTEE TRUST LIFE INSURANCE COMPANY; UNITED STATES LIFE INSURANCE COMPANY IN THE CITY OF NEW YORK; NATIONAL UNION FIRE INSURANCE COMPANY; ALBERT CORMIER SOLUTIONS, LLC, f.k.a. ACS HEALTHCARE, LLC; ALLIED HEALTH BENEFITS, INC.; INTERNATIONAL MARKETING AND ADMINISTRATION CORPORATION; PSI/HEALTH LEADS SYSTEMS, INC.; GEORGE E. SPAULDING, JR.; TIMOTHY SIEWERT; MICHAEL SIEWERT; JOHN FABBRINI; BARRY SHAW; LANDON JORDON; OTIS CHAPMAN; JUSTIN CORMIER; MELANIE HALL; ANGUS MORRISON; CRYSTAL CORRELL; SHAWN HILLS; BARBARA HARRINGTON; G. DAN SIEWERT, III; EDWARD KLAYMAN; JOHN or JANE DOES 1-10; and XYZ BUSINESS ENTITIES 1-10, Respondents.	)	CASE NO.: INS-2009-70 **CONSENT AGREEMENT AND FINAL ORDER RE THE LIFE INSURANCE COMPANY OF NORTH AMERICA**

This Consent Agreement and Final Order is entered into by the Office of the Commissioner of Securities and Insurance, Montana State Auditor (CSI), acting pursuant to the authority of Mont. Code Ann. § 2-4-603, and the Montana Insurance Code, Mont. Code Ann. § 33-1-101, et. seq. (Code); and The Life Insurance Company of North America (Respondent).

RECITALS

WHEREAS, on June 20, 2011, the CSI filed a Notice of Proposed Agency Disciplinary Action and Opportunity for Hearing (Notice), incorporated herein by reference, against the Respondent alleging violations of the Code; and

WHEREAS, the CSI and Respondent agree that Respondent has fully cooperated with CSI in its investigation and CSI and Respondent agree the parties' best interests would be served by entering into the following specific agreement and undertakings set forth below.

NOW, THEREFORE, the parties desiring to fully and finally resolve all matters contained in the Notice and in consideration of the mutual undertakings established herein, the CSI and the Respondent enter into the following:

STIPULATIONS AND CONSENTS

Without admitting or denying any of the CSI's allegations, the Respondent and the CSI stipulate and agree to the following:

1. Within 30 days of the execution of the Final Order, the Respondent shall pay to the State of Montana an administrative penalty in the sum of $12,500.00. Payment should be made payable to the Montana State Auditor's Office and should be sent to the Office of the Commissioner of Securities and Insurance, Montana State Auditor, c/o Mike Winsor, 840 Helena Avenue, Helena, MT 59601.

2. The Respondent agrees to establish internal due diligence process and protocols for determining association eligibility to include a requirement for associations seeking group policies to provide proof of criteria for association membership so as to protect the Respondent from issuing group policies to associations whose primary purpose is obtaining insurance and marketing insurance to the general public. The Respondent agrees not to allow its products to be marketed to residents of Montana by associations that are not permitted under the Code to offer group insurance to their members.

3. The Respondent acknowledges the CSI has jurisdiction over the subject matter of the above-entitled proceeding.

4. The Respondent acknowledges that its authorized representative signing this Consent Agreement has read and understands each term of this Consent Agreement and that the Consent Agreement is entered into voluntarily and without reservation.

5. The Respondent and the CSI agree that this Consent Agreement resolves the alleged violations set forth in the Notice.

6. The Respondent and the CSI hereby acknowledge and agree that this Consent Agreement constitutes the entire agreement between the parties and that no other promises or agreements, either express or implied, have been made by the CSI or by any member, officer, agent, or representative of the CSI to induce the Respondent to enter into this Consent Agreement.

7. With respect to the Notice, the Respondent specifically and affirmatively waives a contested case hearing and its right to appeal under the Montana Administrative Procedures Act, including Title 2, Chapter 4, Part 7, and elects to resolve this matter on the terms and conditions set forth herein.

8. The Respondent and CSI fully and forever release and discharge each other, their employees and agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the Notice.

9. The parties acknowledge and agree that this Consent Agreement may not be modified orally, and any subsequent modifications to this Consent Agreement must be mutually agreed upon in writing with the same formality of this Consent Agreement to be effective.

10. The CSI and the Respondent agree that this Consent Agreement shall be incorporated into and made a part of the attached Final Order issued by the Commissioner of Securities and Insurance, Montana State Auditor (Commissioner) herein.

11. The Respondent further understands that, upon the signing of the Final Order by the Commissioner or her representative, this Consent Agreement and Final Order will be an Order of the CSI and failure to comply with it may constitute a separate violation of the Montana Insurance Code, as provided in Mont. Code Ann. § 33-1-318, and may result in subsequent legal action by the CSI.

12. Upon execution of this Consent Agreement and full payment of the sum set forth in ¶ 1, the CSI shall fully and forever release and discharge the Respondent, Respondent's employees, and Respondent's agents from any and all actions, claims, causes of action, demands, or expenses for damages or injuries, whether asserted or unasserted, known or unknown, foreseen or unforeseen, arising out of the Notice and will not commence any further administrative, civil, or other legal action based upon the regulatory non-compliance alleged in the Notice.

13. This Consent Agreement shall be effective upon signing of the Final Order.

14. The Respondent acknowledges that this Consent Agreement and Final Order are public records under Montana law and as such may not be sealed or otherwise withheld from the public.

DATED this 12th day of December, 2012.

MIKE WINSOR
Attorney for the CSI

DATED this 23rd day of October, 2012.

THE LIFE INSURANCE COMPANY OF NORTH AMERICA

By: MDSNeto

Its: Director

FINAL ORDER

Pursuant to the authority vested by Mont. Code Ann. § 2-4-603, and the Montana Insurance Code, Mont. Code Ann. § 33-1-101, et seq., and upon review of the foregoing Consent Agreement and good cause appearing,

IT IS ORDERED that the foregoing Consent Agreement between the CSI and the Respondent is hereby adopted as if set forth fully herein.

DATED this 12th day of December, 2012.

MONICA J. LINDEEN
Commissioner of Securities and Insurance

By: _____
CHRISTINE KAUFMANN
Deputy Commissioner of Insurance

cc: Mike Winsor, CSI

John Oates, LICNA