



DEPARTMENT OF COMMERCE & INSURANCE

P.O. Box 690, Jefferson City, Mo. 65102-0690

In Re:)
)
HEALTHY ALLIANCE LIFE INSURANCE) Market Conduct Investigation No. 374012
COMPANY (NAIC #78972))

ORDER OF THE DIRECTOR

NOW, on this 13th day of September, 2022, Director, Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement and Voluntary Forfeiture (hereinafter "Stipulation") entered into by the Division of Insurance Market Regulation (hereinafter "Division"), and Healthy Alliance Life Insurance Company (NAIC #78972) (hereinafter "HALIC"), relating to the market conduct investigation no. 374012, does hereby issue the following orders:

This order, issued pursuant to §374.046.15¹ and §374.280 is in the public interest.

IT IS THEREFORE ORDERED that HALIC and the Division having agreed to the Stipulation, the Director does hereby approve and agree to the Stipulation.

IT IS FURTHER ORDERED that HALIC shall not engage in any of the violations of statutes and regulations set forth in the Stipulation, shall implement procedures to place it in full compliance with the requirements in the Stipulation and the statutes and regulations of the State of Missouri, and to maintain those corrective actions at all times, and shall fully comply with all terms of the Stipulation.

¹ All references, unless otherwise noted, are to Revised Statutes of Missouri 2016.

IT IS FURTHER ORDERED that HALIC shall pay, and the Department of Commerce and Insurance, State of Missouri, shall accept, the Voluntary Forfeiture of \$500.00, payable to the Missouri State School Fund.

IT IS SO ORDERED.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 13th day of September, 2022.



Chlora Lindley-Myers
Chlora Lindley-Myers
Director

**IN THE DEPARTMENT OF COMMERCE AND INSURANCE
STATE OF MISSOURI**

In Re:)
)
HEALTHY ALLIANCE LIFE INSURANCE) Market Conduct Investigation No. 374012
COMPANY (NAIC #78972))

STIPULATION OF SETTLEMENT AND VOLUNTARY FORFEITURE

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter the “Division”), and Healthy Alliance Life Insurance Company (NAIC #78972) (hereinafter “HALIC”), as follows:

WHEREAS, the Division is a unit of the Missouri Department of Commerce and Insurance (hereinafter the “Department”), an agency of the State of Missouri, created and established for administering and enforcing all laws in relation to insurance companies doing business in the State of Missouri;

WHEREAS, the Department issued HALIC a certificate of authority to transact the business of insurance in the State of Missouri;

WHEREAS, the Division conducted a market conduct investigation of HALIC, investigation no. 374012; and

WHEREAS, based on the market conduct investigation of HALIC the Division alleges that:

1. HALIC gave rebates in the form of premium credits to 67 Missouri small groups who purchased dental insurance contracts. The premium credits were not specified in the insurance contract in violation of §§375.936(9)(a)¹ and §375.934(2).

WHEREAS, the Division and HALIC have agreed to resolve the issues raised in the market conduct investigation as follows:

¹ All references, unless otherwise noted, are to Missouri Revised Statutes 2016.

A. **Scope of Agreement.** This Stipulation of Settlement and Voluntary Forfeiture (hereinafter “Stipulation”) embodies the entire agreement and understanding of the signatories with respect to the subject matter contained herein. The signatories hereby declare and represent that no promise, inducement or agreement not herein expressed has been made, and acknowledge that the terms and conditions of this agreement are contractual and not a mere recital.

B. **Remedial Action.** HALIC agrees to take remedial action bringing it into compliance with the statutes and regulations of Missouri to reasonably ensure that the errors noted in the market conduct investigation and this Stipulation do not recur. Such remedial actions shall consist of the following:

1. HALIC agrees not to advertise, pay, allow, give, or offer to pay, allow, or give, directly or indirectly, premium holidays, premium credits, or any other valuable consideration or inducement to insurance, or any special favor or advantage in the dividends or other benefits thereon to a Missouri group, insured or prospective Missouri group or insured with the intention of inducing the purchase of an insurance contract outside the provisions of the insurance contract.

C. **Compliance.** HALIC agrees to file documentation with the Division pursuant to §374.190, in a format acceptable to the Division, within 10 days of the entry of a final Order approving this Stipulation, of any remedial action taken pursuant to Paragraph B to implement compliance with the terms of this Stipulation.

D. **Voluntary Forfeiture.** HALIC agrees, voluntarily and knowingly, to surrender and forfeit the sum of \$500.00, such sum payable to the Missouri State School Fund, in accordance with §§374.049.11 and 374.280.2.

E. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by HALIC, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above referenced market conduct investigation.

F. **Waivers.** HALIC, after being advised by legal counsel, does hereby voluntarily and knowingly waive any and all rights to procedural requirements, including notice and an opportunity for a hearing, and review or appeal by any trial or appellate court, which may have otherwise applied to the market conduct investigation no. 374012.

G. **Amendments.** No amendments to this Stipulation shall be effective unless made in writing and agreed to by authorized representatives of the Division and HALIC.

H. **Governing Law.** This Stipulation shall be governed and construed in accordance with the laws of the State of Missouri.


I. **Authority.** The signatories below represent, acknowledge and warrant that they are authorized to sign this Stipulation, on behalf of the Division and HALIC, respectively.

J. **Counterparts.** This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single document. Execution by facsimile or by electronically transmitted signature shall be fully and legally effective and binding.

K. **Effective Date.** This Stipulation shall not become effective until entry of an Order by the Director of the Department (hereinafter "Director") approving this Stipulation.

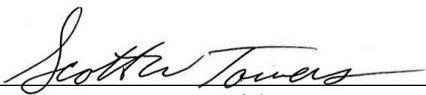
L. **Request for an Order.** The signatories below request that the Director issue an Order approving this Stipulation and order the relief agreed to in the Stipulation, and consent to the issuance of such Order.

DATED: September 7, 2022



Teresa Kroll
Chief Market Conduct Examiner
Division of Insurance Market Regulation

DATED: September 2, 2022



Scott Towers, President
Specialty Products, Elevance Health