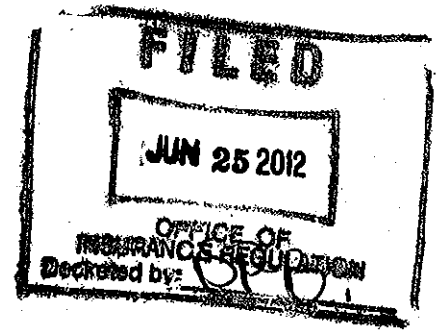


OFFICE OF INSURANCE REGULATION

KEVIN M. MCCARTY
COMMISSIONER



IN THE MATTER OF:

UNITED STATES CONTRACTORS TRUST

CASE NO.: 120135-11

and

ACCESS HEALTH NOW

FINAL ORDER TO CEASE AND DESIST

THIS MATTER came on before the undersigned Insurance Commissioner of the State of Florida for consideration and final agency action, who having considered the record in this case and being fully advised of the premises, finds and orders as follows:

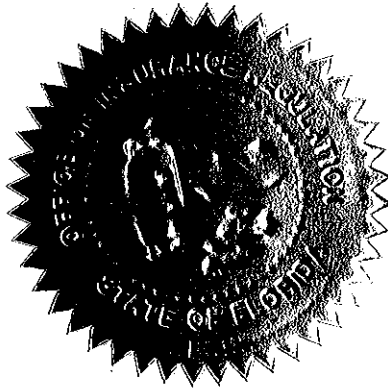
1. On March 20, 2012, an Order to Cease and Desist was issued by the Office of Insurance Regulation (hereinafter "Office") notifying UNITED STATES CONTRACTORS TRUST (hereinafter "USCT") and ACCESS HEALTH NOW (hereinafter "ACCESS") that they were transacting unauthorized and unlicensed insurance business in the state of Florida.
2. Service of the Order to Cease and Desist was attempted at the last known addresses for USCT. Service was made upon ACCESS by U.S. Certified Mail. There has been no request for a proceeding to challenge or contest the action taken by the Office.
3. The Office has jurisdiction over USCT and ACCESS for purposes of this action.

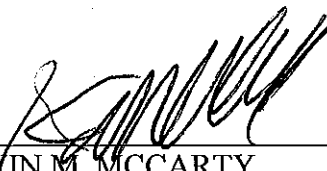
IT IS HEREBY ORDERED:

4. The findings of fact and conclusions of law contained in the March 20, 2012 Order to Cease and Desist, are hereby **ADOPTED** and **INCORPORATED** into this Final Order to Cease and Desist.

5. USCT and ACCESS, whether acting in the State of Florida as an insurer or otherwise engaging in insurance business, either directly or indirectly through named or unnamed persons, successor companies, entities or agents, shall forthwith **CEASE AND DESIST** from engaging in insurance business in the State of Florida or with Florida consumers. However, regardless of the ongoing prohibition against engaging in insurance business, USCT and ACCESS shall pay any and all valid claims or otherwise fully service any and all contracts executed in the State of Florida or issued to any Florida consumer.

DONE AND ORDERED this 25TH day of JUNE, 2012.





KEVIN M. MCCARTY
Commissioner
Office of Insurance Regulation

NOTICE OF RIGHTS

Any party to these proceedings adversely affected by this Order is entitled to seek review of this Order pursuant to Section 120.68, Florida Statutes, and Rule 9.110, Fla. R. App. P. Review proceedings must be instituted by filing a petition or notice of appeal with the General Counsel, for the OFFICE of Insurance Regulation, acting as the Agency Clerk, at 612 Larson Building, Tallahassee, Florida, 32399 and filing a copy of the same with the appropriate District Court of Appeal within thirty (30) days of rendition of this Order.

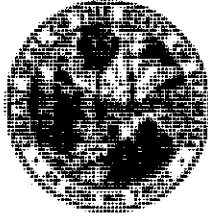
CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing Final Order to Cease and Desist has been furnished this 25TH day of JUNE 2012 by certified mail

to:

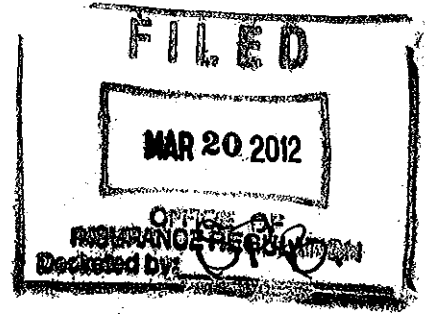
ACCESS HEALTH NOW
and
UNITED STATES CONTRACTORS TRUST
731 South Highway 101, Suite 2G
Solana Beach, California 92075

for Anoush Arakalian Brangaccio
MONICA T. ROSS *File # 5126*
Assistant General Counsel
Florida Bar Number: 0056988
Office of Insurance Regulation
Division of Legal Services
200 East Gaines Street
Tallahassee, Florida 32399
Telephone: (850) 413-4159
Facsimile: (850) 922-2543



OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY
COMMISSIONER



IN THE MATTER OF:

UNITED STATES CONTRACTORS TRUST

CASE NO.: 120135-11

and

ACCESS HEALTH NOW

CEASE AND DESIST ORDER

TO:

UNITED STATES CONTRACTORS TRUST
10293 Lexington Lakes Blvd South
Boynton Beach, Florida 33436

ACCESS HEALTH NOW
731 South Highway 101, Suite 2G
Solana Beach, California 92075

YOU ARE HEREBY NOTIFIED that pursuant to the provisions of the Florida Insurance Code, the STATE OF FLORIDA OFFICE OF INSURANCE REGULATION (the "OFFICE") has caused an investigation to be made of the insurance-related activities of UNITED STATES CONTRACTORS TRUST (hereinafter "USCT") and ACCESS HEALTH NOW (hereinafter "ACCESS"). Pursuant to Sections 624.310, 626.901, and 626.9581, Florida Statutes, the OFFICE intends to enter a Final Order requiring USCT and ACCESS to cease and desist from

engaging in the unauthorized and unlicensed business of insurance in the state of Florida. As grounds therefore, the OFFICE alleges that:

1. The OFFICE has jurisdiction over the subject matter hereof and parties to this proceeding.

2. USCT is a Delaware statutory trust. It has never been granted a certificate of authority to transact insurance in any capacity in the state of Florida.

3. USCT does not hold a license to act as an insurance agent or agency in the state of Florida.

4. On information and belief, David L. Nellson, a/k/a David Nelson (hereinafter "Nellson"), is the senior trustee of USCT.

5. ACCESS does business via its website, www.accesshealthnow.com. It has never been granted a certificate of authority to transact insurance in any capacity in the state of Florida.

6. On information and belief, Arnold H. Katz (hereinafter "Katz") owns, controls, and/or does business as ACCESS.

7. Neither ACCESS nor Katz holds a license to act as an insurance agent or agency in the state of Florida.

8. Section 624.401(1), Florida Statutes, provides:

No person shall act as an insurer, and no insurer or its agents, attorneys, subscribers, or representatives shall directly or indirectly transact insurance, in this state except as authorized by a subsisting certificate of authority issued to the insurer by the office, except as to such transactions as are expressly otherwise provided for in this code.

9. Section 626.901, Florida Statutes, provides:

(1) No person shall, from offices or by personnel or facilities located in this state, or in any other state or country, directly or indirectly act as agent for, or otherwise represent or aid on behalf of another, any insurer not then authorized to transact such insurance in this state in:

- (a) The solicitation, negotiation, procurement, or effectuation of insurance or annuity contracts, or renewals thereof;
- (b) The dissemination of information as to coverage or rates;
- (c) The forwarding of applications;
- (d) The delivery of policies or contracts;
- (e) The inspection of risks;
- (f) The fixing of rates;
- (g) The investigation or adjustment of claims or losses; or
- (h) The collection or forwarding of premiums;

or in any other manner represent or assist such an insurer in the transaction of insurance with respect to subjects of insurance resident, located, or to be performed in this state.

10. USCT and ACCESS represent themselves as membership associations which offer their members accident and healthcare benefits.

11. Despite USCT's representation that it is a membership association, its member benefits packet indicates that the plan is underwritten by "United States Contractors Trust – Atlanta, GA."

12. USCT issues membership identification cards which direct members to the ACCESS website to search for providers

13. ACCESS' website markets various health insurance plans which appear to be identical to those offered by USCT.

14. Section 626.9521(1), Florida Statutes, provides:

No person shall engage in this state in any trade practice which is defined in this part as, or determined pursuant to s. 626.951 or s. 626.9561 to be, an unfair method of competition or an unfair or deceptive act or practice involving the business of insurance.

15. Section 626.9541(1), Florida Statutes, defines unfair methods of competition and unfair or deceptive acts or practices as, *inter alia*:

(b) False information and advertising generally.—Knowingly making, publishing, disseminating, circulating, or placing before the public, or causing, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public:

1. In a newspaper, magazine, or other publication,
2. In the form of a notice, circular, pamphlet, letter, or poster,
3. Over any radio or television station, or
4. In any other way,

an advertisement, announcement, or statement containing any assertion, representation, or statement with respect to the business of insurance, which is untrue, deceptive, or misleading.

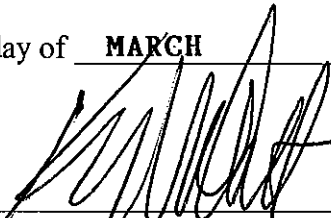
16. It is further alleged that USCT misleads consumers to believe it is associated with Beech Street Corporation by issuing membership cards containing the Beech Street Corporation logo.

17. Beech Street Corporation has denied any affiliation with USCT and ACCESS on its website www.beechstreet.com.

WHEREFORE, because USCT and ACCESS violated Sections 624.401 and 626.901, Florida Statutes, and USCT has violated Section 626.9541(1), Florida Statutes, the OFFICE intends to issue an Order requiring the Respondents to cease and desist from engaging in the unlawful transaction of insurance and unfair or deceptive acts in the state of Florida.

DONE AND ORDERED this 20TH day of MARCH, 2012.





KEVIN M. McCARTY
Commissioner
Office of Insurance Regulation

NOTICE OF RIGHTS

Pursuant to Sections 120.569 and 120.57, Florida Statutes and Rule Chapter 28-106, Florida Administrative Code (F.A.C.), you may have a right to request a proceeding to contest this action by the Office of Insurance Regulation (hereinafter the "Office"). You may request a proceeding by filing a Petition. Your Petition for a proceeding must be in writing and must be filed with the General Counsel acting as the Agency Clerk, Office of Insurance Regulation. If served by U.S. Mail the Petition should be addressed to the Florida Office of Insurance Regulation at 612 Larson Building, Tallahassee, Florida 32399-4206. If Express Mail or hand-delivery is utilized, the Petition should be delivered to 612 Larson Building, 200 East Gaines Street, Tallahassee, Florida 32399-0300. The written Petition must be received by, and filed in the Office no later than 5:00 p.m. on the twenty-first (21) day after your receipt of this notice. Unless your Petition challenging this action is received by the Office within twenty-one (21) days from the date of the receipt of this notice, the right to a proceeding shall be deemed waived. Mailing the response on the twenty-first day will not preserve your right to a hearing.

If a proceeding is requested and there is no dispute of material fact the provisions of Section 120.57(2), Florida Statutes may apply. In this regard you may submit oral or written evidence in opposition to the action taken by this agency or a written statement challenging the grounds upon which the agency has relied. While a hearing is normally not required in the absence of a dispute of fact, if you feel that a hearing is necessary one may be conducted in Tallahassee, Florida or by telephonic conference call upon your request.

If you dispute material facts which are the basis for this agency's action you may request a formal adversarial proceeding pursuant to Sections 120.569 and 120.57(1), Florida Statutes. If you request this type of proceeding, the request must comply with all of the requirements of Rule Chapter 28-106.2015, F.A.C., including but not limited to:

- a) A statement requesting an administrative hearing identifying those material facts that are in dispute. If there are none, the petition must so state; and
- b) A statement of when the respondent received notice of the agency's action.

These proceedings are held before a State Administrative Law Judge of the Division of Administrative Hearings. Unless the majority of witnesses are located elsewhere, the Office will request that the hearing be conducted in Tallahassee.

In some instances, you may have additional statutory rights than the ones described herein.

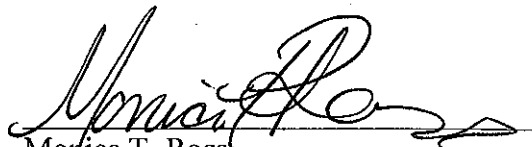
Failure to follow the procedure outlined with regard to your response to this notice may result in the request being denied. Any request for administrative proceeding received prior to the date of this notice shall be deemed abandoned unless timely renewed in compliance with the guidelines as set out above.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing ORDER has been furnished by U.S. Certified Mail this 20TH day of MARCH, 2012 to:

UNITED STATES CONTRACTORS TRUST
10293 Lexington Lakes Blvd South
Boynton Beach, Florida 33436

ACCESS HEALTH NOW
731 South Highway 101, Suite 2G
Solana Beach, California 92075



Monica T. Ross
Assistant General Counsel
Office of Insurance Regulation
612 Larson Building
200 East Gaines Street
Tallahassee, Florida 32399-4206
(850) 413-4159