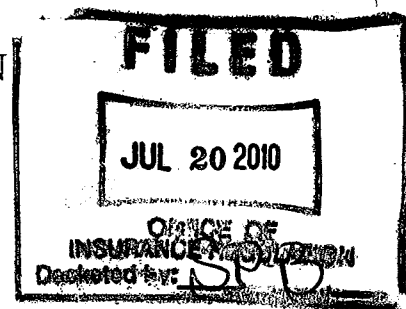




OFFICE OF INSURANCE REGULATION

KEVIN M. McCARTY  
COMMISSIONER



IN THE MATTER OF:

CASE NO.: 102525-09

**UNICARE LIFE & HEALTH INSURANCE COMPANY**

Life and Health Market Investigation

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**CONSENT ORDER**

THIS CAUSE came on for consideration upon agreement between UNICARE LIFE & HEALTH INSURANCE COMPANY (hereinafter referred to as "UNICARE") and the OFFICE OF INSURANCE REGULATION (hereinafter referred to as the "OFFICE"). Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OFFICE hereby finds as follows:

1. The OFFICE has jurisdiction over the subject matter of, and parties to, this proceeding.
2. UNICARE is a foreign life and health insurer authorized to transact insurance business in Florida, and is subject to the jurisdiction and regulation of the OFFICE pursuant to the Florida Insurance Code.
3. The OFFICE has conducted an investigation of UNICARE pursuant to Section 624.318, Florida Statutes. As a result of such investigation, the OFFICE has

concluded that UNICARE has violated the following provision of the Florida Administrative Code pursuant to the OFFICE's authority under Section 626.9651, Florida Statutes:

- a. Rule 69O-128.017, Florida Administrative Code – (1) Except as provided in subsections (2) and (3) of this rule, a licensee shall not disclose nonpublic personal health information about a consumer or customer unless an authorization is obtained from the consumer or customer whose nonpublic personal health information is sought to be disclosed.
4. The OFFICE recognizes that, prior to this Consent Order, UNICARE has offered one (1) year of credit monitoring to impacted Florida consumers. Approximately twenty-five (25) percent of the customers accepted the offer.
5. By entering into this Consent Order and agreeing to terms and conditions below, UNICARE does not express any agreement with or recognition of the conclusions of law made by the OFFICE. UNICARE enters this Consent Order solely to avoid additional legal expenses associated with further litigation.
6. UNICARE expressly waives a hearing in this matter and the making of Findings of Fact and Conclusions of Law by the OFFICE, and all further and other proceedings herein to which the parties may be entitled by law or rules of the OFFICE. UNICARE hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order, in any forum now or in the future available to it, including the right to any administrative proceeding, circuit or federal court action, or any appeal.

7. UNICARE agrees that upon the execution of this Consent Order, it shall be subject to the following terms and conditions:

a. UNICARE shall pay an administrative penalty of Fifteen Thousand Dollars (\$15,000) and administrative costs of Five Thousand Dollars (\$5,000) on or before the thirtieth (30<sup>th</sup>) day after this Consent Order is executed.

8. UNICARE is hereby placed on notice of the requirements of the above referenced section of law and rule.

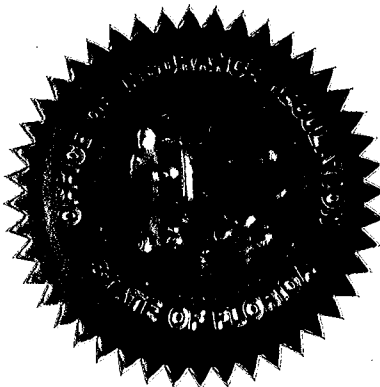
9. UNICARE agrees that failure to adhere to one or more of the above terms and conditions of this Consent Order shall constitute a violation of a lawful order of the OFFICE, and shall subject UNICARE to such administrative action as the OFFICE may deem appropriate and as Florida law allows.

10. Except as noted above, each party to this action shall bear its own costs and attorney's fees.

THEREFORE, the agreement between UNICARE and the OFFICE, the terms and conditions of which are set forth above, is APPROVED.

FURTHER, all terms and conditions above are hereby ORDERED.

DONE AND ORDERED this 20TH day of JULY, 2010.



A handwritten signature in black ink, appearing to read "Kevin M. McCarty". The signature is written in a cursive, flowing style.

KEVIN M. MCCARTY  
Commissioner  
Office of Insurance Regulation

By execution hereof, UNICARE LIFE & HEALTH INSURANCE COMPANY, consents to entry of this Consent Order, agrees without reservation to all of the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that he or she has the authority to bind UNICARE LIFE & HEALTH INSURANCE COMPANY to the terms and conditions of this Consent Order.

**UNICARE LIFE & HEALTH  
INSURANCE COMPANY**

By: Lawrence Schreiber

Print Name: Lawrence Schreiber

Title: VP/GM Unicare

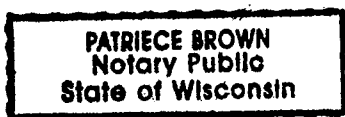
Date: 12/22/09

Corporate Seal

STATE OF Wisconsin

COUNTY OF Waukesha

The foregoing instrument was acknowledged before me this 22 day of December 2009, by Lawrence Schreiber, who is personally known to me or has produced the following identification \_\_\_\_\_.



[Notarial Seal]

Patriece Brown

Signature of Notary

Patriece Brown

Print or Type Name

My Commission Expires:

December 9, 2012

**COPIES FURNISHED TO:**

DENNIS W. CASEY, PRESIDENT & CEO  
UniCare Life & Health Insurance Company  
233 S. Wacker Drive, Suite 3900  
Chicago, Il 60606

JIM BENNETT, DIRECTOR  
Office of Insurance Regulation, Market Investigations  
200 East Gaines Street, Room 216E  
Tallahassee, Florida 32399-4210

MONICA T. ROSS, ATTORNEY  
Florida Office of Insurance Regulation  
Legal Services Office  
200 East Gaines Street  
646E Larson Building  
Tallahassee, Florida 32399-4206  
Phone: 850.413.4159  
Fax: 850.922.2543  
Email: [monica.ross@flor.com](mailto:monica.ross@flor.com)



FINANCIAL SERVICES  
COMMISSION

CHARLIE CRIST  
GOVERNOR

ALEX SINK  
CHIEF FINANCIAL OFFICER

BILL MCCOLLUM  
ATTORNEY GENERAL

CHARLES BRONSON  
COMMISSIONER OF  
AGRICULTURE

OFFICE OF INSURANCE REGULATION

Kevin M. McCarty  
Commissioner

**INVOICE**

*ADMINISTRATIVE PENALTY IMPOSED BY CONSENT ORDER*

In order to ensure that your payment is received and properly credited, please make your check payable to the Florida Department of Financial Services and **return this invoice with your payment** to:

**Department of Financial Services  
Revenue Processing Section  
P.O. Box 6100  
Tallahassee, Florida 32314-6100**

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**REFERENCE**

NAME: UniCare Life & Health Insurance Company  
ADDRESS: 233 S. Wacker Drive, Suite 3900  
CITY, STATE, ZIP: Chicago, IL 60606  
FEID: 52-0913817  
NAIC COCODE: 80314  
CASE #: 102525-09  
ATTORNEY: Monica T. Ross  
SOURCE: Market Investigations #3252

***Fine Due: \$15,000.00  
Costs Due: \$5,000.00  
Total Amount Due: \$20,000.00***

***Amount Remitted:***

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**OFFICIAL USE ONLY – PLEASE DO NOT MARK BELOW THIS LINE**

<u>B/T</u>	<u>T/C</u>	<u>F/T</u>	<u>AMOUNT</u>
C	1105	J	\$0
C	1249	J+	\$0