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FILED

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Department of Insurance
State of Idaho

Attorneys for Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of: _____

PENN TREATY NETWORK AMERICA
INSURANCE COMPANY,

Certificate of Authority No. 861
NAIC No. 63282.

Docket No. 18-2495-10

**ORDER CONTINUING SUSPENSION OF
CERTIFICATE OF AUTHORITY**

WHEREAS, PENN TREATY NETWORK AMERICA INSURANCE COMPANY ("PENN TREATY"), a Pennsylvania state domiciled insurer licensed for life and disability insurance in the state of Idaho under Certificate of Authority No. 861, has been suspended by the Idaho Department of Insurance, by orders dated November 25, 2008, and January 6, 2010, pursuant to the provisions of Idaho Code § 41-326 and § 41-327; and

WHEREAS, PENN TREATY was placed into rehabilitation on January 6, 2009, by order of the Commonwealth Court of Pennsylvania, Cause No. 5 M.D. 2009, based on the request and consent of the Board of Directors of PENN TREATY;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to the provisions of Idaho

Code § 41-327(3), that Certificate of Authority No. 861 issued to PENN TREATY be CONTINUED IN SUSPENSION effective immediately and that PENN TREATY comply with each of the requirements of Idaho Code § 41-329, including § 41-329(2) which states: “During the suspension period the insurer shall not solicit or write any new business in this state, but shall file its annual statement, pay fees, licenses, and taxes as required under this code, and may service its business already in force in this state, as if the certificate of authority had continued in full force,” and that, pursuant to this section, said suspension be continued for a period of one (1) year from the date of this order. The Director may terminate the suspension sooner if the cause for said suspension is terminated and PENN TREATY is otherwise in compliance with the provisions of Title 41, Idaho Code.

IT IS FURTHER ORDERED that, within 60 days of the date of this order, PENN TREATY file with the Director a complete listing of its policies owned by or issued to residents of the State of Idaho current as of the date of this order, notwithstanding any such listings previously submitted. Such list shall include the name and address of each policyholder and insured, policy type, face amount, and cash surrender value of the policy, as applicable.

NOTIFICATION OF RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See* section 67-5246(4), Idaho Code.

Pursuant to sections 67-5270 and 67-5272, Idaho Code, any party aggrieved by this final order or orders previously issued in this case may appeal this final order and all previously issued orders in this case to district court by filing a petition in the district court of the county in which:

- i. A hearing was held,

- ii. The final agency action was taken,
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho, or
- iv. The real property or personal property that was the subject of the agency action is located.

An appeal must be filed within twenty-eight (28) days (a) of this final order, (b) of an order denying any petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See* section 67-5273, Idaho Code. The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED and EFFECTIVE this 1ST day of December 2010.



WILLIAM W. DEAL, Director
Idaho Department of Insurance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have on this 1st day of December 2010, caused a true and correct copy of the foregoing order to be served upon the following by designated means:

Penn Treaty Network America Insurance Co.
Mark David Cloutier
3440 Lehigh St.
Allentown, PA 18103-7001

☒ first class mail
☐ certified mail
☐ hand delivery
☐ via facsimile

Candie Kinch
Idaho Life and Health Guaranty Association
3355 N. Five Mile Road #210
Boise, ID 83713
ckinch@idlifega.org

☐ first class mail
☐ certified mail
☐ hand delivery
☒ via email

Thomas A. Donovan
Deputy Attorney General
Idaho Department of Insurance
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☐ first class mail
☐ certified mail
☒ hand delivery
☐ via facsimile



Teresa Jones
Assistant to the Director