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FILED

SEP 09 2011

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE**

**STATE OF IDAHO**

In the Matter of:

ACE AMERICAN INSURANCE  
COMPANY

Certificate of Authority No. 814  
NAIC ID No. 22667

Docket No. 18-2706-11

**ORDER GRANTING REQUEST FOR  
BLOCK NON-RENEWAL**

The Director of the Idaho Department of Insurance (“Department”), having read and being fully apprised of the request received by the Department on July 28, 2011, from ACE AMERICAN INSURANCE COMPANY (“ACE AMERICAN”) seeking permission to block non-renew all of its chiropractors’ professional liability policies in Idaho, which change will affect eighty-five (85) policies; ACE AMERICAN having indicated that it intends to begin non-renewing the above-described business effective November 1, 2011, which date fails to comply with the one hundred and twenty (120) day notice requirement to the Department set forth in Idaho Code § 41-1841(1); and ACE AMERICAN having further represented that it will continue to service all of its existing policies until such time as the policies would be due for renewal; and

in view of the requirements of Idaho Code § 41-1841 and good cause appearing therefor;

NOW THEREFORE, IT IS HEREBY ORDERED that this ratifies and confirms that ACE AMERICAN is authorized, pursuant to Idaho Code § 41-1841, to effectuate a block non-renewal of all of its chiropractors' professional liability policies in Idaho, which change will affect eighty-five (85) policies, EFFECTIVE NOVEMBER 25, 2011, in accordance with the notice requirements of Idaho Code § 41-1841(1). ACE AMERICAN shall provide reasonable notice to policyholders affected by the non-renewals authorized by this order in accordance with the notice provisions included in the company's applicable insurance policies.

THIS ORDER is a final order of the Director, and is EFFECTIVE IMMEDIATELY.

#### **NOTIFICATION OF RIGHTS**

This is a final order of the Idaho Department of Insurance. 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* Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, 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 of (a) the service date of this final order, (b) an order denying petition for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See Idaho Code § 67-5273.* The filing of an appeal to district court does not itself stay the effectiveness or enforcement of the order under appeal.

DATED this 8<sup>th</sup> day of September 2011.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

  
WILLIAM W. DEAL  
Director

**CERTIFICATE OF SERVICE**

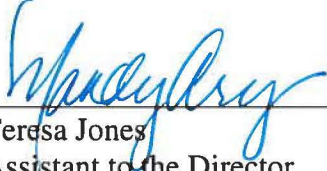
I HEREBY CERTIFY that, on this 9<sup>th</sup> day of September 2011, I caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

ACE American Insurance Company  
Attn: Theresa Boyce, Manager  
436 Walnut Street  
Philadelphia, PA 19106

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

A. René Martin  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, ID 83720-0043

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

  
for: Theresa Jones  
Assistant to the Director