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I.S.B. No. 4377

**FILED**

**SEP 18 2009**

**Department of Insurance  
State of Idaho**

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

**STATE OF IDAHO**

|                                   |   |                          |
|-----------------------------------|---|--------------------------|
| In the Matter of:                 | ) |                          |
|                                   | ) | Docket No. 18-2563-09    |
| PROVIDENT AMERICAN                | ) |                          |
| LIFE AND HEALTH                   | ) | <b>ORDER GRANTING</b>    |
| INSURANCE COMPANY                 | ) | <b>WITHDRAWAL</b>        |
|                                   | ) | <b>FROM MEDICARE</b>     |
| Certificate of Authority No. 1713 | ) | <b>SUPPLEMENT MARKET</b> |
| NAIC No. 67903                    | ) |                          |
| _____                             | ) |                          |

WHEREAS, PROVIDENT AMERICAN LIFE AND HEALTH INSURANCE COMPANY (“PROVIDENT AMERICAN”) notified the Department by letter dated September 10, 2009 via System for Electronic Rate and Form Filing (SERFF) that PROVIDENT AMERICAN intends to discontinue marketing its Medicare Supplement policies: Plan D Form Number 3LD and Plan F – High Deductible Form Number 3LK in Idaho; and

WHEREAS, PROVIDENT AMERICAN has represented to the Department that it will continue to service all existing in-force Medicare Supplement contracts and continue to market plans A and F;

NOW, THEREFORE, IT IS HEREBY ORDERED that pursuant to IDAPA 18.01.54.030.04.a PROVIDENT AMERICAN is permitted to discontinue marketing the Individual Medicare Supplement Plan D Form No. 3LD and Plan F – High Deductible Form No. 3LK in Idaho effective October 11, 2009.

IT IS HEREBY FURTHER ORDERED that PROVIDENT AMERICAN shall not file a Medicare Supplement Plan D or F – High Deductible or offer such products in Idaho prior to September 10, 2014 pursuant to IDAPA 18.01.54.030.04.b.

### **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 the service date of this final order, (b) of 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 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 18<sup>th</sup> day of September 2009.

  
\_\_\_\_\_  
WILLIAM W. DEAL  
Director

**CERTIFICATE OF SERVICE**

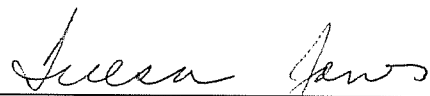
I HEREBY CERTIFY that I have on this 18<sup>th</sup> day of September 2009, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Provident American Life & Health Ins. Co.  
Attn: Jackie Cunningham  
P.O. Box 26580  
Austin, TX 78755-0580

- first class mail
- certified mail
- hand delivery
- via facsimile

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

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- certified mail
- hand delivery
- via facsimile

  
\_\_\_\_\_  
TERESA JONES  
Assistant to the Director