

LAWRENCE G. WASDEN  
ATTORNEY GENERAL

THOMAS A. DONOVAN  
Deputy Attorney General  
Idaho Department of Insurance  
700 West State Street  
P.O. Box 83720  
Boise, ID 83720-0043  
Telephone: (208) 334-4204  
Facsimile: (208) 334-4298  
I.S.B No. 4377

FILED *dy*

MAR 02 2011

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:

LIFE OF AMERICA INSURANCE  
COMPANY  
fka  
REPUBLIC AMERICAN LIFE  
INSURANCE COMPANY,

Certificate of Authority No. 1047  
NAIC ID No. 81132

Docket No. 18-2454-11

**ORDER OF CONTINUATION OF  
SUSPENSION OF CERTIFICATE OF  
AUTHORITY**

WHEREAS, LIFE OF AMERICA INSURANCE COMPANY formerly known as  
REPUBLIC AMERICAN LIFE INSURANCE COMPANY (hereinafter "LIFE OF  
AMERICA"), a Texas state domiciled insurer licensed for life and disability insurance in the  
state of Idaho under Certificate of Authority No. 1047, has been suspended by the Idaho  
Department of Insurance by orders dated April 8, 2008; May 27, 2009; and April 23, 2010,  
pursuant to the provisions of Idaho Code § 41-326(1)(b); and

WHEREAS, LIFE OF AMERICA is required to have capital of One Million Dollars  
(\$1,000,000) and surplus of One Million Dollars (\$1,000,000) pursuant to Idaho Code § 41-313;

and, as of September 30, 2010, LIFE OF AMERICA reported capital of Seven Hundred Thousand Dollars (\$700,000) and surplus of Seven Hundred Fifty-four Thousand Twenty-nine Dollars (\$754,029), as reflected in its September 30, 2010, Statutory Financial Statement, and therefore no longer meets the requirements for maintaining surplus set forth at Idaho Code § 41-313, and does not meet the requirements for a certificate of authority in the state of Idaho;

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to provisions of Idaho Code § 41-326(1)(b), that Certificate of Authority No. 1047 issued to LIFE OF AMERICA INSURANCE COMPANY be CONTINUED IN SUSPENSION effective immediately 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 LIFE OF AMERICA is otherwise in compliance with the provisions of Title 41, Idaho Code.

IT IS FURTHER ORDERED that LIFE OF AMERICA 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."

IT IS FURTHER ORDERED that, within 60 days of the date of this order, LIFE OF AMERICA 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 this 2<sup>nd</sup> day of March 2011.

  
\_\_\_\_\_  
WILLIAM W. DEAL, Director  
Idaho Department of Insurance

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I have, on this 2nd day of March 2011, caused a true and correct copy of the foregoing order to be served upon the following by the designated means:

Life of America Insurance Company  
8200 Brookriver Drive, Suite 600N  
Dallas, TX 75247-4069

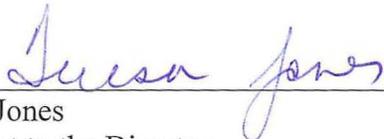
- first class mail
- certified mail
- hand delivery
- via facsimile

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

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

Thomas A. Donovan  
Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

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

  
\_\_\_\_\_  
Teresa Jones  
Assistant to the Director