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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
OF THE STATE OF IDAHO**

In the Matter of:

NEW YORK LIFE INSURANCE
COMPANY,

Certificate of Authority No. 163
NAIC ID No. 66915

Docket No. 18-2869-13

**ORDER GRANTING REQUEST FOR
BLOCK NON-RENEWAL AND FOR
WITHDRAWAL FROM THE MAJOR
MEDICAL AND CATASTROPHE
MEDICAL INSURANCE MARKETS**

On February 19, 2013, the State of Idaho, Department of Insurance (Department), received from NEW YORK LIFE INSURANCE COMPANY (NEW YORK LIFE) a letter seeking permission to block non-renew all of its major medical and catastrophe medical insurance policies covering Idaho residents, pursuant to Idaho Code § 41-5207(1)(f), effective December 31, 2013, which change would affect two hundred thirty-one Idaho insureds.

NEW YORK LIFE represents to the Department that it will provide a minimum of one hundred eighty (180) days' written notice to its Idaho policyholders of its intent to non-renew the affected policies.

NEW YORK LIFE further represents that it intends to withdraw from the major medical and catastrophe medical insurance markets in Idaho and acknowledges that, pursuant to Idaho Code § 41-5207(2), it will be prohibited from offering and writing any new such business in such markets in Idaho for five (5) years from February 19, 2013, the date of the Department's receipt of its notice, as referenced above.

The proposed block non-renewal complies with the notice requirements to the Department's Director as set forth in Idaho Code §§ 41-1841(1) and 41-5207(1)(f).

The Director, having reviewed the foregoing and the requirements of Idaho Code §§ 41-1841 and 41-5207, and good cause appearing therefor;

NOW THEREFORE, IT IS HEREBY ORDERED that NEW YORK LIFE is authorized, pursuant to Idaho Code §§ 41-1841 and 41-5207(1)(f), to effectuate a block non-renewal of all of its major medical and catastrophe medical insurance policies covering Idaho residents, which change will affect two hundred thirty-one (231) Idaho insureds, effective December 31, 2013. FURTHER, NEW YORK LIFE shall provide written notice of not less than one hundred eighty (180) days 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 and in Idaho Code § 41-5207.

IT IS HEREBY FURTHER ORDERED that NEW YORK LIFE is prohibited from offering and writing any new business in the major medical and catastrophe medical markets in Idaho prior to February 19, 2018, pursuant to Idaho Code § 41-5207(2).

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

NOTIFICATION OF RIGHTS

This is a final order of the Director. 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 7TH day of May, 2013.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



WILLIAM W. DEAL

Director

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 8th day of May, 2013, I caused a true and correct copy of the ORDER GRANTING REQUEST FOR BLOCK NON-RENEWAL AND FOR WITHDRAWAL FROM THE MAJOR MEDICAL AND CATASTROPHE MEDICAL INSURANCE MARKETS to be served upon the following by the designated means:

New York Life Insurance Company
Attn: Raghu Rangachar, Vice President & Actuary
1 Rockwood Road
Sleepy Hollow, NY 10591

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

New York Life Insurance Company
51 Madison Avenue
New York, NY 10010

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

A. René Martin
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