

LAWRENCE G. WASDEN  
Attorney General

RICHARD B. BURLEIGH, ISB No. 4032  
Deputy Attorney General  
State of Idaho  
Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
P.O. Box 83720  
Boise, Idaho 83720-0043  
Telephone: (208) 334-4219  
Facsimile: (208) 334-4298  
[richard.burleigh@doi.idaho.gov](mailto:richard.burleigh@doi.idaho.gov)

*Attorneys for the Department of Insurance*

FILED

JAN 27 2015 *lma*

Department of Insurance  
State of Idaho

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
OF THE STATE OF IDAHO**

In the Matter of:

AMEX ASSURANCE COMPANY

Certificate of Authority No. 1293  
NAIC ID No. 27928

Docket No. 18-3014-15

**ORDER AUTHORIZING  
BLOCK CANCELLATION**

On December 12, 2014, the State of Idaho, Department of Insurance (Department), received from AMEX ASSURANCE COMPANY (AMEX) a letter dated December 8, 2014, notifying the Department of AMEX's intent to implement a block cancellation of its hospital indemnity policies known as "Hospital Guard" and "Hospital Guard Plus" delivered or issued for delivery in Idaho, effective May 15, 2015. AMEX represented to the Department that the block cancellation would affect approximately thirteen (13) Idaho insureds. AMEX further represented that it will provide affected policyholders with ninety (90) days' advance notice of

the cancellation and will return all unearned premium to affected policyholders who are in the middle of their coverage period upon the cancellation effective date.

The Director, having reviewed the foregoing and the requirements of Idaho Code § 41-1841(1), and acting pursuant to the authority set forth in Idaho Code § 41-210(2),

THE DIRECTOR HEREBY FINDS that the proposed effective date of the contemplated block nonrenewal complies with the one hundred twenty (120) day notice requirement to the Director, as set forth in Idaho Code § 41-1841(1).

NOW THEREFORE, IT IS HEREBY ORDERED that AMEX is authorized, pursuant to Idaho Code § 41-1841, to effectuate a block cancellation of its hospital indemnity policies known as "Hospital Guard" and "Hospital Guard Plus" delivered or issued for delivery in Idaho, effective May 15, 2015, which, based on AMEX's representation, will affect approximately thirteen (13) Idaho insureds. AMEX shall provide a minimum of ninety (90) days' notice to policyholders affected by the cancellation 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.

DATED this 27<sup>th</sup> day of January, 2015.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE



---

THOMAS A. DONOVAN  
Acting Director

## 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.

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this 27<sup>th</sup> day of January, 2015, I caused a true and correct copy of the foregoing ORDER AUTHORIZING BLOCK CANCELLATION to be served upon the following by the designated means:

AMEX Assurance Company  
Attn: Steve Lindstrom, President  
20022 N. 31<sup>st</sup> Avenue  
Phoenix, AZ 85027

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

Richard B. Burleigh  
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

  
\_\_\_\_\_