### **FINAL ORDER**

**EFFECTIVE: 2-10-14** 

## BEFORE THE COMMISSIONER OF INSURANCE OF THE STATE OF KANSAS

In the Matter of		
	)	D 1 11 150 150
OHIO NATIONAL LIFE INSURANCE COMPANY	)	Docket No.4630-MC
NAIC #67172		

#### **SUMMARY ORDER**

Pursuant to the authority conferred upon the Commissioner of Insurance in K.S.A. 40-222, Sandy Praeger, the duly elected, qualified and serving Commissioner of Insurance hereby adopts the Kansas Insurance Department's Report of Market Conduct Examination of Ohio National Life Insurance Company ("ONL"), as of December 31, 2012 (attached herein as Attachment A) by incorporating the same in its entirety with specific findings stated as follows. This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the 15 day period if no request for a hearing is made, pursuant to K.S.A. 77-542.

#### **Findings of Fact**

- 1. The Commissioner of Insurance has jurisdiction over this matter pursuant to K.S.A. 40-222.
- The Kansas Insurance Department ("Department") completed a targeted market conduct examination of ONL. The period of examination was January 1, 2010 through December 31, 2012.
- 3. The Department examined ONL's complaint handling with respect to (1) whether complaints are recorded in the required format on the ONL's complaint register; (2) whether ONL has adequate complaint handling procedures in place and communicates such procedures to policyholders; (3) whether ONL takes adequate steps to finalize and

dispose of the complaint in accordance with applicable statutes, rules and regulations, and contract language; and (4) whether the time frame within which the regulated entity responds to complaints is in accordance with applicable statutes, rules and regulations.

4. No violations of Kansas statutes or regulations were discovered in the process of the examination.

#### **Applicable Law**

#### K.S.A. 40-222 states, in pertinent part:

(a) Whenever the commissioner of insurance deems it necessary but at least once every five years, the commissioner may make, or direct to be made, a financial examination of any insurance company in the process of organization, or applying for admission or doing business in this state. In addition, at the commissioner's discretion the commissioner may make, or direct to be made, a market regulation examination of any insurance company doing business in this state.

#### **Conclusions of Law**

Based upon the Findings of Fact enumerated in Paragraphs #1 through #4 and the Applicable Law cited above, IT IS, THEREFORE, ORDERED BY THE COMMISSIONER OF INSURANCE:

- 1. The Commissioner of Insurance has jurisdiction over this matter pursuant to K.S.A. 40-222.
- 2. The Kansas Insurance Department's ("KID") Report of Market Conduct Examination of ONL as of December 31, 2012 is herein adopted in its entirety.

# IT IS SO ORDERED THIS 22nd DAY OF JANUARY 2014, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



_/s/ Sandy Praeger Sandy Praeger Commissioner of Insurance
BY:
_/s/ John Wine John Wine General Counsel

#### **NOTICE OF RIGHTS**

ONL is entitled to a hearing pursuant to K.S.A. 77-537, the Kansas Administrative Procedure Act. If ONL desires a hearing, ONL must file a written request for a hearing with:

John Wine, General Counsel Kansas Insurance Department 420 S.W. 9<sup>th</sup> Street Topeka, Kansas 66612

This request must be filed within fifteen (15) days from the date of service of this Summary Order. If ONL requests a hearing, the Kansas Insurance Department will notify ONL of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing before the commencement of the same.

If a hearing is not requested in the time and manner stated above, this Summary Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. 77-613. In the event ONL files a petition for judicial review, pursuant to K.S.A. 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John Wine, General Counsel Kansas Insurance Department 420 S.W. 9<sup>th</sup> Street Topeka, Kansas 66612

#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the above and foregoing Order and Notice of Rights on this 22nd day of January 2014 by causing the same to be deposited in the United States Mail, registered mail with return-receipt requested postage prepaid, addressed to the following:

Ohio National Life Insurance Company Attn: Liz Martini, Vice-President and Counsel One Financial Way Cincinnati, OH 45242

> \_/s/ Susan Ellmaker\_\_\_\_ Susan Ellmaker Staff Attorney