

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)
Petitioner,)
vs.)
OKLAHOMA MUNICIPAL ASSURANCE)
GROUP, a licensed insurer in the State of)
Oklahoma,)
Respondent.)

CASE NO. 11-0549-DIS

FILED

JUL 26 2011

**CONDITIONAL ADMINISTRATIVE ORDER
AND NOTICE OF RIGHT TO BE HEARD**

INSURANCE COMMISSIONER
OKLAHOMA

COMES NOW the State of Oklahoma, ex rel., John D. Doak, Insurance Commissioner, by and through counsel and alleges and states as follows:

JURISDICTION

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code 36 O.S. §§ 101-7004.

2. Respondent Oklahoma Municipal Assurance Group ("OMAG") is a licensed insurer in the State of Oklahoma holding NAIC Number 13085.

FINDINGS

1. On February 25, 2011, an inquiry bearing that date and regarding a claim, assigned number 29664-KM, which arose under an insurance contract was mailed by the Oklahoma Insurance Department ("Department") to OMAG. The inquiry requested that OMAG provide a complete copy of the claim file and adjuster's notes . (Exhibit "A").

2. The thirtieth (30th) day after the date of the inquiry was March 27, 2011. That date

occurred on a Sunday; thus, OMAG's response was due on Monday, March 28, 2011.

3. OMAG did not respond by providing the claim file and notes to the OID until April 28, 2011. Though the response was accompanied by a cover letter dated March 3, 2011, it was received well after the statutorily permitted time. (Exhibit "B").

CONCLUSIONS

The allegations herein are found to be true and correct, and Respondent has violated 36 O.S. § 1250.4 of the Oklahoma Insurance Code. That section provides that "[e]very agent, adjuster, administrator, insurance company representative, or insurer . . . upon receipt of any inquiry from the Commissioner shall, within thirty (30) days from the date of the inquiry, furnish the Commissioner with an adequate response to the inquiry." OKLA. STAT. tit. 36, § 1250.4(B).

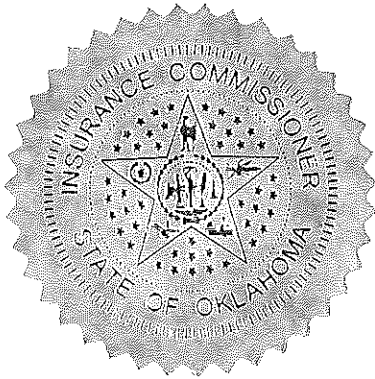
ORDER

IT IS THEREFORE ORDERED that Oklahoma Municipal Assurance Group is fined in the amount of Five Hundred Dollars (\$500.00).

Respondent is further notified that a hearing may be requested within 30 days of the receipt of this Order concerning this action, and upon such request, the Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Natasha M. Scott, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Suite 100, Oklahoma City, Oklahoma 73112 and shall state the basis for requesting the hearing.

If Respondent does not request a hearing within the 30 days allotted, this Order shall be a FINAL ORDER on the 31st day following the receipt of the Order, and the fine ordered herein shall be due to the Oklahoma Insurance Department.

WITNESS My Hand and Official Seal this  day of July, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Natasha M. Scott
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 521-2746
Fax (405) 521-0125

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was mailed certified, return receipt requested on this 5th day of July, 2011, to:

Jayne Spies
Director of Claims
Oklahoma Municipal Assurance Group
4130 N. Lincoln Blvd.
Oklahoma City, OK 73105-5209

CERTIFIED MAIL NO:

Natasha M. Scott

Governor
Mary Fallin



Insurance Commissioner
John D. "Okie" Doak

Oklahoma Insurance Department
State of Oklahoma

February 25, 2011

Oklahoma Municipal Assurance Group
Jayne Spies
4130 N Lincoln Blvd
Oklahoma City, OK 73105-5209

Re: Marilyn Bachelier
OID File Number: [REDACTED]

Dear Jayne Spies:

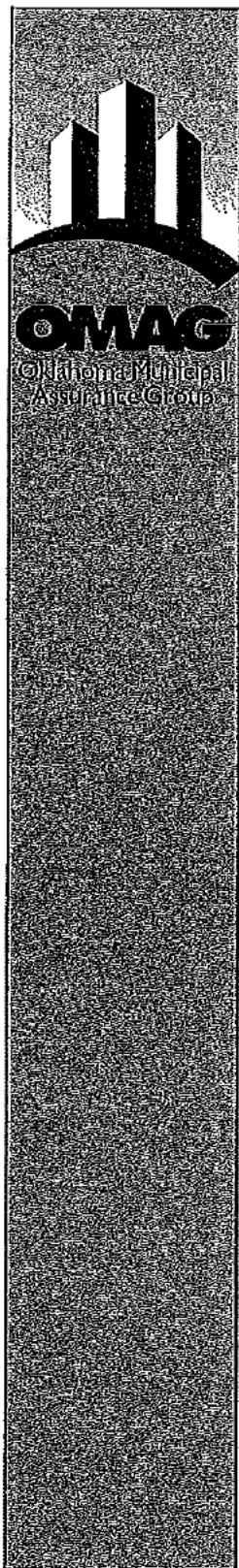
Per our conversation on February 25, 2011, we are making a written request for a complete copy of your claims file, including adjuster notes.

If you have any questions, please do not hesitate to contact our office.

Sincerely,

Kent E. Humphrey, BSBA, CISR
Claims Analyst
Consumer Assistance Division
kent.humphrey@oid.ok.gov
(405) 521-2991





March 3, 2011

Oklahoma Insurance Department
RECEIVED
APR 28 2011
Consumer Assistance Division

Kent E. Humphrey, BSBA, CISR
Claims Analyst
Consumer Assistance/Claims Division
Oklahoma Insurance Department
State of Oklahoma
Five Corporate Plaza
3625 N. W. 56th St., Suite 100
Oklahoma City, Oklahoma 73112-4511

Re: Member : Town of Hulbert
Inquirer : Marilyn Bachelier
Date of Loss : August 27, 2010
Your File No. : [REDACTED]
Claim No. : 29664-KM

Dear Mr. Humphrey:

Pursuant to your request, enclosed please find a copy of our entire claim file along with our computer notes.

Please advise if you need anything further.

Yours truly,

Jayne Spies
Director of Claims

JS/ac

4130 N. Lincoln Blvd.
Oklahoma City, OK
73105-5209
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1-800-234-9461
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