



STATE OF CONNECTICUT

INSURANCE DEPARTMENT

Market Conduct Report

of

West American Insurance Company

October 13, 2022

The Market Conduct Division of the Connecticut Insurance Department examined by survey the market conduct practices of West American Insurance Company using a sample period of January 17, 2022 through June 2, 2022. The examination survey was limited to Connecticut commercial lines insurance business.

West American Insurance Company is domiciled in the state of Indiana. By authority granted under §38a-15 of the Connecticut General Statutes, this examination survey was conducted by Market Conduct examiners of the State of Connecticut Insurance Department (the Department) at the Department offices in Hartford, Connecticut.

The purpose of the examination survey was to evaluate the Company's market conduct practices in the State of Connecticut. The examiners reviewed the Company's survey response, which included new business, claims, complaints and underwriting information requested for the examination period.

The Department's findings are as follows:

- One (1) individual acting as an agent of Respondent without the required license
- One (1) individual acting as an agent of Respondent without the required appointment

As it relates to the issues listed above, the Company was not in compliance with applicable Connecticut Statutes and Regulations.



STATE OF CONNECTICUT

INSURANCE DEPARTMENT

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IN THE MATTER OF:

DOCKET MC 22-45

WEST AMERICAN INSURANCE COMPANY:
----- X

STIPULATION AND CONSENT ORDER

It is hereby stipulated and agreed between West American Insurance Company and the State of Connecticut Insurance Department by and through Andrew N. Mais, Insurance Commissioner to wit:

I

WHEREAS, pursuant to a Market Conduct examination, the Insurance Commissioner alleges the following with respect to West American Insurance Company:

1. West American Insurance Company, hereinafter referred to as Respondent, is domiciled in the State of Indiana and is licensed to transact property and casualty insurance in the State of Connecticut. The NAIC company code number is 44393.
2. From January 17, 2022 through June 1, 2022, the Department conducted an examination of Respondent's market conduct practices in the State of Connecticut covering the period January 1, 2020 through December 31, 2020.
3. During the period under examination, Respondent failed to follow established practices and procedures to ensure compliance with statutory requirements resulting in instances of:
 - (a) One (1) individual acting as an agent of Respondent without the required license
 - (b) One (1) individual acting as an agent of Respondent without the required appointment
4. The conduct described in paragraph three is in violation of Sections 38a-702b and 38a-702m of the Connecticut General Statutes and constitutes cause for the imposition of a fine or other administrative penalty under Sections 38a-2 and 38a-41 of the Connecticut General Statutes.

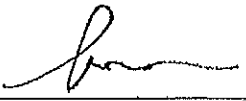
II

1. WHEREAS, Respondent admits the allegations in paragraphs three and four of Article I of this Stipulation and Consent Order; and
2. WHEREAS, Respondent agrees to undertake a complete review of its practices and procedures, with respect to those areas of concern, as described in the Market Conduct Report and this Stipulation, so that those areas of concern are compliant with Connecticut Statutes; and
3. WHEREAS, Respondent agrees to provide the Insurance Commissioner with a full report of findings and a summary of actions taken to comply with the requirements of paragraph two of this Section within ninety (90) days of the date of this document; and
4. WHEREAS, Respondent agrees to pay a fine in the amount of \$6,500 for the violations described herein; and
5. WHEREAS, Respondent, being desirous of terminating administrative action without the necessity of a formal hearing or further litigation, does consent to the making of this Consent Order and voluntarily waives:
 - a. any right to notice and a hearing; and
 - b. any requirements that the Insurance Commissioner's decision contain a statement of findings of fact and conclusions of law; and
 - c. any and all rights to object to or challenge before the Insurance Commissioner or in any judicial proceeding any aspect, provision or requirement of this Stipulation

NOW THEREFORE, upon the consent of the parties, it is hereby ordered and adjudged:

1. That the Insurance Commissioner has jurisdiction of the subject matter of this administrative proceeding.
2. That Respondent is fined the sum of Six Thousand Five Hundred Dollars (\$6,500) for the violations herein above described.

West American Insurance Company

By: 

(Representative of Insurance Company)
Sebestyen Q. Martens
Senior Regulatory Counsel

