

Failure to Identify Insurer in Advertisement

From about March 1997 to March 1999, PBG distributed a health insurance advertisement that did not identify the name of the actual insurer(s) providing the insurance advertised.

Charging Service Fee

From March 1, 1999 to May 25, 1999, PBG charged each of 529 applicants for various types of personal insurance a service fee of \$50 for a total of \$26,450.

Ultimate Facts

PBG distributed a health insurance advertisement that did not identify the name of the actual insurer(s) providing the insurance advertised.

PBG charged a service fee with respect to the transaction of insurance covering an individual's person, property or liability.

Conclusions

PBG violated OAR 836-020-0260(1) and OAR 836-030-0060.

Action

PBG shall pay a civil penalty of \$6,000 pursuant to ORS 731.988. Payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. Payment shall be personally delivered or mailed to the Insurance Division so that it is received on or before the date of the Final Order.

PBG shall refund each service fee to the respective applicant. PBG shall provide to the Oregon Insurance Division within 30 days after returning all fees written proof of returning all fees. If PBG does not refund all fees, then the Director may institute a separate administrative proceeding to assess PBG a civil penalty of the unreturned fees pursuant to ORS 731.988(2).

Dated October 25, 1999.

/s/ Scott D. Ballard
Scott D. Ballard
Managing Partner
Pacific Benefits Group

/s/ Shane R. Nichols
Shane R. Nichols
Managing Partner
Pacific Benefits Group

/s/ Steve L. Scott
Steve L. Scott
Managing Partner
Pacific Benefits Group

FINAL ORDER

The Director adopts, and incorporates herein by this reference, the Facts, Ultimate Facts, Conclusions and Action in the above Stipulation as the Findings of Fact, Ultimate Findings of Fact, Conclusions of Law and Order, respectively, of this Final Order.

Dated October 28, 1999.

/s/ Michael Greenfield
Michael Greenfield
Director
Department of Consumer and Business Services