



### Agent Not Licensed in Resident State

ManagedComp is subject to enforcement action pursuant to ORS 744.063(1)(a) because of the following circumstances. ORS 744.063(1)(a) requires a person licensed in Oregon as a nonresident insurance agent to be also licensed in the person's state of residence as a resident insurance producer. ManagedComp is a resident of Pennsylvania. On 11/18/01, ManagedComp's Pennsylvania resident insurance agent license, called a certificate of qualification, expired. Therefore, ManagedComp has not qualified for an Oregon nonresident insurance agent license since 11/18/01.

### Failed to Report Enforcement Action by Other State Insurance Regulator

ManagedComp violated ORS 744.089(1) in one instance by engaging in the following conduct. ORS 744.089(1) requires a person licensed in Oregon as an insurance agent to notify the Insurance Division of any administrative action taken against the person, and provide a copy of the order, within 30 days of the final disposition of the action. On 12/17/02, the Insurance Commissioner of the State of Pennsylvania issued an order, number CCCO02-10-028, assessing ManagedComp a civil penalty of \$7,500.00. The Insurance Commissioner took the action because ManagedComp had written 13 new insurance policies and renewed 29 insurance policies sometime between 11/18/01 and 10/21/02 when its Pennsylvania nonresident insurance agent license, called a certificate of qualification, was expired. The order became final on 12/17/02. ManagedComp was required to notify the Insurance Division of the action, and provide a copy of the order, by 1/16/03. ManagedComp has not notified the Insurance Division of the action or provided a copy of the order.

### **Order**

Pursuant to ORS 744.074(1), the Oregon license as an insurance agent issued to ManagedComp is revoked on the date of this order.

### **Notice of Right to Judicial Review**

The party has the right to appeal the order to the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. If a party wants to appeal the order, the

party must file a petition for judicial review with the Court of Appeals within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was mailed to the party, not the day the party received the order. If a party does not file a petition for judicial review within the 60-day time period, then the party will lose the right to appeal this order. If a party appeals the order, the party should also send a copy of the petition to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE, Room 440 (4<sup>th</sup> Floor), Salem, Oregon; or mailing it to PO Box 14480, Salem, OR 97309-0405, or faxing it to 503-378-4351; or e-mailing it to [mitchel.d.curzon@state.or.us](mailto:mitchel.d.curzon@state.or.us).

Dated February 27, 2004

/s/ Cory Streisinger  
Cory Streisinger  
Director  
Department of Consumer and Business Services

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