

claim on 6/21/08, and continued to decline to pay related medical expenses until 10/27/08, because Progressive Classic believed that the claimant was not insured under the policy. Progressive Classic was informed on 7/21/08 and 9/25/08 that the claimant was a named insured under the policy. However, Progressive Classic did not examine the declarations page until 10/27/08. On 10/27/08, after the claimant complained to the Insurance Division and the Insurance Division intervened, Progressive Classic examined the declarations page, determined that the claimant was a named insured, and decided to pay the claim.

Action

Pursuant to ORS 731.988(1), Progressive Classic is assessed a civil penalty of \$3,000. The payment shall be made in the form of a check payable to the "Department of Consumer and Business Services" for the full amount due. The payment shall be delivered to the Insurance Division at the Labor and Industries Building, 350 Winter Street NE, Salem, Oregon; or mailed to the Insurance Division at PO Box 14480, Salem, OR 97309-0405. The payment shall be *received* by the Insurance Division by the date of the final order.

Dated 9/9/09

/s/ Diane M. Lau
[Signature of Representative]
Diane M. Lau
[Printed Name of Representative]
Market Conduct Auditor
[Printed Title of Representative]

Progressive Classic Insurance Company

FINAL ORDER

The director incorporates herein the above stipulation, adopts it as the director's final decision in this proceeding, and orders that the action stated therein be taken.

Dated 10/5/09

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