

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: Anthem Life Insurance Company  
Docket No.: Ins. No. 23-032-EP**

**CONSENT ORDER**

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Anthem Life Insurance Company (“Respondent”), the terms of which are as follows:

**FINDINGS OF FACT**

1. Respondent is an Indiana domiciled insurance carrier with an NAIC Company Code of 61069 and is authorized to write business in New Hampshire in the lines of life and accident & health.
2. Pursuant to NH RSA 408:10-a, through December 31, 2022, any life insurance company doing business in NH is required to pay interest on life insurance claims paid 31 days or more beyond the date of death of the decedent.
3. In addition, as of January 1, 2023, NH RSA 408:11 requires that any policy including a death benefit must contain a provision to include interest that accrues from the date of death.
4. In 2023, the NHID requested information from Respondent regarding the payment of life insurance proceeds to NH consumers; the information obtained showed that from January 1, 2018, to the present, Respondent had failed to pay interest to beneficiaries of NH life policies on at least 65 occasions.
5. Respondent has been cooperative with the NHID in this investigation.

## **CONCLUSIONS OF LAW**

Based on the foregoing Findings of Fact and the applicable provisions of law, the

NHID concludes and finds the following Conclusions of Law:

- a. Respondent is subject to the jurisdiction of the NHID.
- b. NH RSA 408:10-a required that any life insurance company doing business in NH is required to pay interest on life insurance claims paid 31 days or more beyond the date of death of the decedent.
- c. NH RSA 408:11 requires that any policy including a death benefit must contain a provision to include interest that accrues from the date of death.
- d. Respondent violated NH RSA 408:10-a and NH RSA 408:11 by failing to pay interest to beneficiaries of NH life policies on at least 66 occasions between January 1, 2018, to the present.
- e. Each identified violation could result in a penalty not to exceed \$2,500.

## **ORDER**

WHEREFORE, the NHID orders and Respondent consents to the following:

- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to the following:

- i. Respondent shall cease and desist from violating NH RSA 408:10-a and NH RSA 408:11 by ensuring that all NH life insurance proceeds which should include interest to beneficiaries are paid with interest;
  - ii. To provide documentary proof to the NHID that the beneficiaries identified by the NHID as those who did not receive interest on NH life insurance policies per statute are provided said interest; and
  - iii. an administrative penalty of \$65,000, with \$32,500 of that suspended for a period of two years. The \$32,500 of imposed penalty is due upon execution of this consent order, made payable to "Treasurer, State of New Hampshire", and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301. The remaining suspended \$32,500 only becomes due should the NHID find that Respondent violated an Insurance law or Rule within 2 years of the execution of this Consent Order.
- c. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III or any other applicable law.
- d. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID

may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

- e. Respondent agrees it will not claim, assert, or apply for a tax deduction or tax credit with regard to any U.S. federal, state, or local tax, directly or indirectly, for any portion of the civil monetary penalty paid pursuant to this Consent Order.
- f. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- g. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. The Respondent must, in the future, answer "YES" to any question which asks "have you ever been named or involved as party in an administrative proceeding" or any substantially similar question.


**IT IS SO ORDERED.**

**NEW HAMPSHIRE INSURANCE DEPARTMENT**

Date: 12/20/23

  
David J. Bettencourt, Commissioner

Date: 12/11/2023

  
Scott W. Towles  
Anthem Life Insurance Company,  
Authorized Representative, Respondent