

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Forethought Life Insurance Company
Docket No.: INS No. 23-004-EP**

CONSENT ORDER

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

FINDINGS OF FACT

1. Respondent is an Indiana domiciled insurance company which is authorized to do business in New Hampshire and offers insurance policies and contracts to New Hampshire consumers.
2. Since 1992, Respondent has sold at least 1,792 “A1200-01” group life insurance policies or issued certificates thereof to New Hampshire consumers.
3. The A1200-01 policy form was never filed nor approved for sale in New Hampshire. Respondent relied solely on the approval of the policy for use with the Indiana Group Trust by the Indiana Department of Insurance in 1991. Respondent never filed a request with the NHID to seek approval of the Indiana Group Trust as a permissible group for the sale of group life policies in New Hampshire.
4. On or about January 30, 2023, the NHID issued a Cease-and-Desist Order, ordering Respondent to cease the sales of this unapproved product.
5. Respondent has been cooperative with the NHID, responded immediately to the NHID’s concerns, and shortly thereafter filed for approval an individual life insurance policy for sale in New Hampshire.
6. That product has been approved by the NHID; Respondent is no longer selling the group life insurance product in New Hampshire.

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; and
- b. Respondent violated NH RSA 408:16-d, RSA 408:15, and RSA 408:16 by selling a group life insurance policy in New Hampshire which was not approved by the NHID.

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. an administrative penalty of \$26,180 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.
- 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

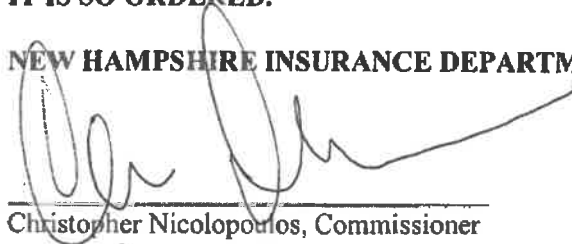
other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

- e. 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.
- f. 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.

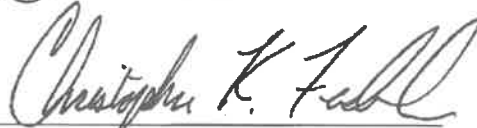
NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 6-16-23



Christopher Nicolopoulos, Commissioner

Date: 6/1/2023



Forethought Life Insurance Company
Authorized Representative, Respondent