

IN2308798/MBF

**STATE OF MINNESOTA  
COMMISSIONER OF COMMERCE**

In the Matter of the Certificate of Authority  
of Conseco Health Insurance Company  
a corporation licensed  
to do business in the State of Minnesota.  
NAIC No. 78174

**CONSENT ORDER**

TO: Conseco Health Insurance Company  
11815 N. Pennsylvania Street  
Carmel, IN 46032

Commissioner of Commerce Glenn Wilson (hereinafter "Commissioner") has determined as follows:

1. The Commissioner has advised Conseco Health Insurance Company (hereinafter "Respondent") that as a result of an investigation by the Commissioner concerning Respondent's conduct as a corporation engaged in the business of insurance in Minnesota, the Commissioner is prepared to commence formal proceedings in accordance with the provisions of Minn. Stat. § 45.027 (2002) against Respondent's Certificate of Authority to engage in the business of insurance in Minnesota based on allegations that Respondent failed to file timely their loss reserve certification in violation of Minn. Stat. § 60A.129, subd. 2(c) (2002).

2. Respondent acknowledges that it has been advised of its rights to a hearing in this matter, to present argument to the Commissioner and to appeal from any adverse determination after a hearing, and Respondent, without admitting or denying the allegations, hereby expressly waives those rights. Respondent further acknowledges that it has been represented by legal counsel throughout these proceedings or has been advised of its right to counsel, which right it hereby waives.

3. Respondent has agreed to an informal disposition of this matter without a hearing, as provided under Minn. Stat. § 14.59 (2002) and Minn. R. 1400.5900 (2001).

4. The following Order is in the public interest.

**NOW, THEREFORE, IT IS HEREBY ORDERED**, pursuant to Minn. Stat. § 45.027, subd. 6 (2002), that Respondent shall pay to the State of Minnesota a civil penalty of \$5000.

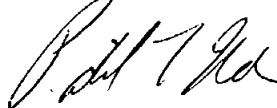
This Order shall be effective upon signature by or on behalf of the Commissioner.

Dated: \_\_\_\_\_

1/20/04

GLENN WILSON  
Commissioner

By: \_\_\_\_\_

  
PATRICK L. NELSON  
Deputy Commissioner  
Market Assurance

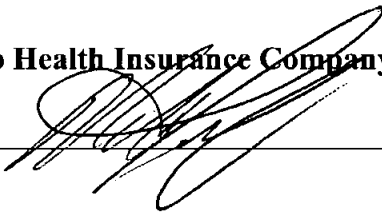
85 7<sup>th</sup> Place East, Suite 500  
St. Paul, Minnesota 55101  
Telephone: (651) 296-4051

**CONSENT TO ENTRY OF ORDER**

The undersigned, acting on behalf of Conseco Health Insurance Company states that s/he has read the foregoing Consent Order; that s/he knows and fully understands its contents and effect; that s/he is authorized to execute this Consent to Entry of Order on behalf of Respondent; that s/he has been advised of Respondent's right to a hearing; that Respondent has been represented by legal counsel in this matter; or that s/he has been advised of Respondent's right to be represented by legal counsel and that s/he has waived this right; and that s/he consents to entry of this Order by the Commissioner of Commerce. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either express or implied.

**Conseco Health Insurance Company**

By: \_\_\_\_\_



Its: \_\_\_\_\_

*Vice President*

STATE OF Indiana

COUNTY OF Hamilton

This instrument was acknowledged before me on 12/23/03 (date) by Matthew Zimpfer  
(name(s) of person(s)) as Vice President (type of authority, e.g., officer, trustee, etc.) of  
Conseco Health Insurance Co. (name of party on behalf of whom the instrument was executed).

(stamp)

Renee Wake  
(Signature of notary officer)  
Market Conduct Coordinator  
Title (and Rank)  
My commission expires: Sept. 2, 2008