

APR 16 2010

DEPT OF INSURANCE
BY CB

STATE OF ARIZONA
DEPARTMENT OF INSURANCE

1
2
3 In the Matter of)
4 MEDICAL MANAGEMENT CAPTIVE)
INSURANCE COMPANY)
5 (No. 3233))
6 Respondent.)
7 _____)

Docket No. 010A-060-INS

ORDER SUSPENDING
CERTIFICATE OF AUTHORITY AND
NOTIFICATION OF RIGHTS

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9 The State of Arizona, Department of Insurance (the "Department") received evidence
10 that Medical Management Captive Insurance Company ("Respondent") violated provisions of
11 Title 20, Arizona Revised Statutes ("A.R.S."). In light of the serious nature of these
12 allegations, the Director of Insurance for the State of Arizona ("Director") finds that the public
13 health, safety and welfare imperatively require emergency action, within the meaning of A.R.S.
§41-1092.11(B).

14 **FINDINGS OF FACT**

15 1. Respondent is a captive insurer domiciled in Arizona and presently holds a
16 certificate of authority issued by the Department to transact casualty without workers
17 compensation and employers liability insurance.

18 2. Captive insurers are required to engage a captive manager pursuant to A.R.S. §
20-1098.16.

19 3. Any change in captive managers is a material change in the captive insurer's
20 operations and requires prior written approval before implementation. A.R.S. § 20-1098.22

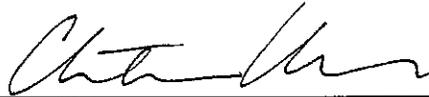
21 4. Respondent attempted to immediately transfer its captive management services
22 effective February 22, 2010 without seeking or obtaining approval of its business plan change
23 in violation of A.R.S. § 20-1098.22.

1 control and possession of all of the books and records, including all bank and
2 investment accounts and other assets of Respondent.

3 b. Within thirty (30) days from the date of this Order, Respondent shall
4 provide the Department with an Amended Business Plan detailing its plans for
5 the run-off of the insurance claims and obligations.

6 c. Effective immediately, on the 10th day of each month, Respondent shall
7 provide the Department with monthly financial reporting, claims reporting, and
8 reports on the status and liquidity of Respondent's assets.

9 DATED this 16th day of April, 2010.

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CHRISTINA URIAS
12 Director of Insurance

13 NOTIFICATION OF RIGHTS

14 **You have the right to request a hearing on this determination by filing a notice of**
15 **appeal after your receipt of this notice.** The notice of appeal must identify the party
16 appealing, the party's address, the matter being appealed and must contain a detailed
17 statement of the reason for the appeal. Your hearing will be treated as a "contested case" and
18 promptly instituted and determined as prescribed by A.R.S. §§41-1001(4), 41-1092.11(B) and
19 41-1092.05(E) to the extent the Office of Administrative Hearings calendar permits. In any
20 event, your hearing will be held within sixty (60) days of your notice of appeal is filed, unless
21 the hearing is advanced or delayed by agreement or a showing of good cause by any party.
22 The Department of Insurance will promptly serve a "Notice of Hearing" in accordance with
23 A.R.S. §41-1092.05(E) that will inform you of the date, time and location of the hearing as well
as the issues.

If you file an appeal, you may also request an "informal settlement conference"
pursuant to A.R.S. §41-1092.06 by filing a written request **no more than twenty (20) days**

1 **before the scheduled hearing.** The conference will be held within fifteen (15) days after our
2 receipt of your request. If an informal settlement conference is requested, a person with the
3 authority to act on behalf of the Department of Insurance will be present. Please note that you
4 waive any right to object to the participation of the Department's representative in the final
5 administrative decision of the matter if it is not settled.

6 Your notice of appeal and/or request for an informal settlement conference may be
7 addressed to the attention of:

Hearing Administration
Arizona Department of Insurance
Notice of Appeal
2910 North 44th Street, 2nd Floor
Phoenix, Arizona 85018-7256

10 COPY of the foregoing mailed/delivered
11 this 16th day of April, 2010 to:

12
13 Mark Rosenberg
14 President
15 Medical Management Captive Insurance Company
16 4800 N. 22nd Street
17 Phoenix, AZ 85016

18 Donald G. Snyder, CPA
19 Chief Financial Officer
20 Medical Management Captive Insurance Company
21 4800 N. 22nd Street
22 Phoenix, AZ 85016

23 Kimberly Wack
AON Insurance Managers (USA) Inc.
1850 N. Central Avenue, Suite 1700
Phoenix, AZ 85004

Timothy P. Foley
Statutory Agent
1850 N. Central Avenue, Suite 1700
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1 Lynette Evans
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2 1275 West Washington
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3 Gerrie Marks, Deputy Director
Steve Ferguson, Assistant Director, Financial Affairs
4 Stephanie Lefkowski, Chief Analyst, Captive Insurance
Leslie Hess, Legal Analyst, Financial Affairs
5 Arizona Department of Insurance
2910 North 44th Street, Second Floor
6 Phoenix, AZ 85018

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Curvey Walters Burton

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