

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: Boston Mutual Life Insurance Company  
Docket No.: Ins. No. 24-009-EP**

**CONSENT ORDER**

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

**FINDINGS OF FACT**

1. Respondent is a Massachusetts domiciled insurance company that is authorized to write business in NH in the lines of Life, Accident, and Health.
2. On or about July 5, 2023, Respondent filed an annual life insurance illustration certification via the System for Electronic Rates & Forms Filing (“SERFF”).
3. On or about November 14, 2023, the Chief Life and Health Actuary at the NHID transmitted an objection to Respondent through SERFF inquiring about the period of certification for the illustration certification. Respondent did not respond to that request.
4. On or about December 11, 2023, Chief Life and Health Actuary at the NHID re-transmitted the same objection through SERFF, requesting the period of certification for the illustration and indicated that the filing would be disapproved if a response was not received within 10 business days. Respondent did not respond to that request.
5. On or about January 8, 2024, having received no response, Chief Life and Health Actuary at the NHID sent an e-mail to Respondent indicating that the filing was

disapproved, and that Respondent needed to resubmit the life illustration certification within 10 business days. Respondent did not respond to those communications.

6. On or about January 31, 2024, the Director of Life and Health Division at the NHID called Respondent and left a voicemail giving them until close of business to provide the requested information. Respondent did not respond to that request.
7. On February 5, 2024, the NHID issued an Order to Show Cause and Notice of Hearing identifying the issues above.
8. Later that week, Respondent contacted the NHID and began working to properly file the rejected life illustration filing and respond to the Chief Life and Health Actuary's questions.
9. On February 27, 2024, the Chief Life and Health Actuary reviewed the new life illustration filing and submitted objections to Respondent.
10. On or about March 6, 2024, the Chief Life and Health Actuary reviewed Respondent's response to the February 27, 2024, objections and approved the life illustration filing.

#### **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. Respondent violated NH RSA 400-A:16, II by failing to respond within 10 working days to the NHID's November 14, 2023, request and by failing to respond within 10 working days to the NHID's December 11, 2023, request.
- c. Each identified violation could result in a penalty not to exceed \$2,500.

## ORDER

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

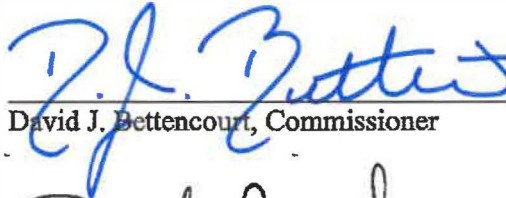
- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in NH RSA Chapter 541-A and Ins Part 200.
- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to the following:
  - i. An administrative penalty of \$5,000. The penalty should be paid via check made payable to "Treasurer, State of New Hampshire", and should be 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 Respondents 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.**

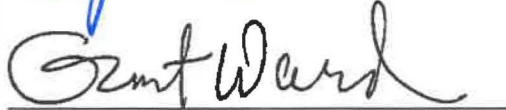
**NEW HAMPSHIRE INSURANCE DEPARTMENT**

Date: 3/20/24



David J. Bettencourt, Commissioner

Date: March 18, 2024



Grant Ward, Executive Vice President  
Boston Mutual Life Ins. Co., Respondent