

# **OHIO DEPARTMENT OF INSURANCE**

**A**

## **MARKET CONDUCT EXAMINATION**

**OF**

**AMERICAN FAMILY LIFE ASSURANCE COMPANY OF  
COLUMBUS  
NAIC # 60380**

**As Of**

**December 31, 2008**





Honorable Mary Jo Hudson  
Director  
Ohio Department of Insurance  
50 West Town Street Suite 300  
Columbus, Ohio 43215

Director:

Pursuant to your instructions and in accordance with the powers vested under Title 39 of the Ohio Revised Code, a market conduct examination was conducted on the Ohio business of:

American Family Life Assurance Company of Columbus  
NAIC# 60380.

The examination was conducted at the Ohio Department of Insurance office in Columbus, Ohio. A report of the examination is enclosed.

Respectfully submitted,

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Lynette Baker  
Chief, Market Regulation Division

August 17, 2009

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Date

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## FOREWORD

This examination was conducted under authority provided by Ohio Revised Code (“R.C.”) 3901.011.

## SCOPE OF EXAMINATION

A September 10, 2007, revision to R.C. 3923.443 (Bulletin 2008-2), instituted standards to prevent any agent from selling, soliciting, or negotiating Long Term Care (“LTC”) new business, after September 1, 2008, without having first completed an initial eight (8) hour partnership training course. The statute also required four (4) hours of continuing education (“CE”) in LTC to be completed in every 24 month period commencing January of the year immediately following the year of issuance of the agent’s license.

On March 9, 2009, the Market Regulation Division, Ohio Department of Insurance (“Department”) opened an examination into the agent continuing education practices of American Family Life Assurance Company of Columbus (“Company”) by sending the Company a call letter and initial request for information.

The examination was conducted at the Department’s office in Columbus, Ohio. The examination was restricted to the review of the Company’s procedures for tracking agents’ continuing education information, a review of LTC new business policies written during the exam period of September 1, 2008, through December 31, 2008, and the documentation provided to support that the agents writing LTC were meeting the statutory requirements.

The examination report is reported by test and was conducted with the standards and procedures established by the National Association of Insurance Commissioners and the state of Ohio’s applicable statutes and rules.

## METHODOLOGY

The company was asked to provide a list of policies issued during the exam period. Once that information was received, the company was then asked to provide individual agent documentation to confirm that the eight (8) hours of training was received prior to selling any new LTC policies.

## COMPLIANCE

The Company provided procedures for tracking agent continuing education requirements that can reasonably be expected to prevent any agent unfair practices.

## AGENT CONTINUING EDUCATION

**Standard:** The Company’s documentation of the agent’s CE shows that the agent complied with statutes and rules.

**Test:** Did the Company’s documentation support that each agent met the continuing education requirements in compliance with R.C. 3923.443(A)(1),(C),(D),(E), and (F)?

**Test Methodology:**

- The examiners considered the following to be exceptions:
  1. Any documentation that did not support the 8 hours of continuing education.
  2. Any class or course that did not meet the Department's approved course list.

**Findings:**

<b>Company Name</b>	<b>Number of Unique Agents</b>	<b>Number of Policies Written</b>	<b>Number of Exceptions</b>	<b>Error Rate</b>	<b>Reason for Exceptions</b>
AFLAC	10	16	1	10%	Did not receive CE documentation on one agent

Due to the small number of agents involved, no further action is required at this time. However, the Company should establish procedures and controls to monitor agent CE documentation to assure compliance is met in the future.

This concludes the report of the Market Conduct Examination of American Family Life Assurance Company of Columbus. The examiners, Don Layson and Angela Dingsus would like to acknowledge the assistance and cooperation provided by the management and the employees of the Company.



August 17, 2009

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Don Layson  
Examiner-in-Charge

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Date