

BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF THE CERTIFICATE )  
OF AUTHORITY OF DOCTORS AND SURGEONS )  
NATIONAL RISK RETENTION GROUP IC, INC. ) SUMMARY ORDER OF SUSPENSION  
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NAIC # 13018 )

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Now comes the Iowa Insurance Division (“Division”) pursuant to the provisions of the Iowa Insurers Supervision, Rehabilitation, and Liquidation Act – Iowa Code Chapter 507C and finds the following:

**I. PARTIES AND JURISDICTION**

1. The Commissioner of Insurance, Nick Gerhart, pursuant to Iowa Code § 505.8 (2015), administers and enforces the Iowa Insurers Supervision, Rehabilitation, and Liquidation Act – Iowa Code Chapter 507C.
2. Doctors and Surgeons National Risk Retention Group IC, Inc. (“Doctors and Surgeons National RRG”) is an insurer with a last known mailing address of 40 June Way, Milton, VT 05468.
3. Doctors and Surgeons National RRG is and has been issued a Certificate of Authority with the Division since July 12, 2012.

**II. FINDINGS OF FACT**

4. The Division issued National Contractors a Certificate of Authority on July 12, 2012 and assigned NAIC number 13018.
5. Doctors and Surgeons National RRG filed a Uniform Consent to Service of Process (the “Consent”) on June 8, 2012. In submitting the Consent, Doctors and Surgeons National RRG designated the Commissioner as an agent for service of process.

6. On October 7, 2016, the Commissioner of the Vermont Department of Financial Regulation (“Vermont Commissioner”), made an application to the Washington County Superior Court and obtained an Order (the “Rehabilitation Order”) which placed Doctors and Surgeons National RRG in rehabilitation. The Vermont Commissioner was appointed as Rehabilitator. Pursuant to the Rehabilitation Order, the Vermont Commissioner now has control of the company’s assets. The Vermont Commissioner will evaluate the company’s financial condition and determine whether it may be possible to runoff Doctors and Surgeons National RRG’s operation in the context of a rehabilitation proceeding.

### **III. CONCLUSIONS OF LAW**

7. Iowa Code § 507C.60 (2015) provides that “without advance notice or a hearing, the commissioner may suspend immediately the certificate of authority of any insurer as to which proceedings for receivership, conservatorship, rehabilitation, or other delinquency proceedings have been commenced in any state by the public insurance supervisory official of that state.”

8. Doctors and Surgeons National RRG is and has been in rehabilitation and subject to an order requested by the Vermont Commissioner which was effective on October 7, 2016.

### **IV. ORDER**

**IT IS THEREFORE ORDERED** that:

A. The Iowa Certificate of Authority issued to Doctors and Surgeons National RRG shall be immediately suspended. The period of suspension shall be continuous from the date of this Order until terminated by further written order of the Commissioner.

B. Doctors and Surgeons National RRG shall not solicit or issue new policies of insurance or assume any Iowa risk.

C. Doctors and Surgeons National RRG shall file its annual financial statement and pay any fees and taxes required to be paid under Iowa law.

D. Doctors and Surgeons National RRG shall service any existing policies of insurance issued to persons residing in Iowa.

Dated this 1st day of November, 2016.

Iowa Insurance Division

/s/

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JAMES N. ARMSTRONG  
Deputy Commissioner of Insurance  
Iowa Insurance Division

## **NOTICE**

Failure to comply with the provisions of this Order shall be grounds for further administrative action under Iowa Code Chapter 507C and other applicable insurance code chapters, or for injunctive relief in district court.

If you fail to request a hearing within 30 days of the date of this Order, the Order shall be a final Order of the Commissioner of Insurance and shall be enforceable by the Commissioner of Insurance in an administrative or court proceeding.

The failure to request a hearing can constitute a failure to exhaust your administrative remedies and limit the issues subject to judicial review. You may seek judicial review of this Order, pursuant to Iowa Code Chapter 17A, after the Order becomes final. The Order becomes final 30 days after it is issued if you do not timely request a contested case hearing, or 30 days following any ruling from a contested case hearing.

## **NOTICE OF RIGHT TO REQUEST HEARING**

NOTICE IS HEREBY GIVEN that Doctors and Surgeons National Risk Retention Group IC, Inc. may request a hearing in this matter. This request must be in writing and must be filed within 30 calendar days of the date of this Order, with Robert Koppin, Company Regulation Attorney, 601 Locust St., Fourth Floor, Des Moines, Iowa 50309. A notice of the hearing shall be prepared and shall be given at least 15 days before the date of the hearing unless the parties agree to an earlier date. The hearing shall be held within 90 days after the date of the notice of the hearing unless extended by the presiding officer for good cause with at least 15 days notice to the parties. The resulting hearing will be held in accordance with Iowa Code Chapter 17A.

Copy to:

J. David Leslie, Esq.  
Special Deputy Rehabilitator  
Vermont Dept. of Financial Regulation  
89 Main Street  
Montpelier, VT 05620-3101

Robert Koppin  
Company Regulation Attorney  
Local