

**BEFORE THE INSURANCE COMMISSIONER  
FOR THE STATE OF ARKANSAS**

**IN THE MATTER OF  
THE REPORT OF EXAMINATION OF  
AMERICAN LIFE AND ANNUITY COMPANY**

**A.I.D. NO. 2019- 9**

**ADOPTION ORDER**

Now on this day the matter of the Report of Examination (“Report”) as of December 31, 2017, of American Life and Annuity Company (“Company”) of Hot Springs, Arkansas, NAIC No. 73881, is taken under consideration by Allen Kerr, Insurance Commissioner for the State of Arkansas (“Commissioner”), as presented by Associate Counsel, Amanda Capps Rose, and the Finance Division of the Arkansas Insurance Department (“Department”). From the facts, matters and other things before him, the Commissioner finds as follows:

**FINDINGS OF FACT**

1. The Company is an Arkansas-domiciled life and accident and health insurer.
2. Pursuant to Ark. Code Ann. §§ 23-61-201, *et seq.*, the Commissioner authorized and directed the Department to conduct a regular examination of the affairs, transactions, accounts, records, and assets of the Company as of December 31, 2017.
3. Said examination was commenced by the Department on May 1, 2018, and completed on November 6, 2018.
4. The verified Report of Examination was filed with the Department on January 2, 2019. It was then mailed to the Company via certified mail on January 3, 2019. The Company received the Report on January 7, 2019, according to the tracking service available through the United States Postal Service.

5. The Company did not maintain an antifraud plan or complaint register during the examination period.

6. In correspondence dated January 30, 2019, the Company acknowledged receipt of the Report and voluntarily waived the remainder of the Company's thirty (30) day review period.

### CONCLUSIONS OF LAW

Based upon the above and foregoing Findings of Fact, the Commissioner makes the following Conclusions of Law:

1. The Commissioner and the Department have jurisdiction over the parties and the subject matter contained herein.

2. This Adoption Order has been properly entered in accordance with the Arkansas Insurance Code and Department Rules.

3. The Company's failure to maintain an antifraud plan is a violation of Ark. Code Ann. § 23-66-510 and Department Rule 66. The Company subsequently filed its antifraud plan and is now in compliance with Ark. Code Ann. § 23-66-510 and Department Rule 66.

4. The Company's failure to maintain a complaint register is a violation of Ark. Code Ann. § 23-66-206(4) and Department Rule 44. The Company subsequently completed its complaint register and is now in compliance with Ark. Code Ann. § 23-66-206(4) and Department Rule 44.

**THEREFORE**, pursuant to the provisions of Ark. Code Ann. § 23-61-205 and other provisions of the Arkansas Insurance Code, the Commissioner hereby orders:

1. That the Examination Report, as filed with the Department, is hereby adopted;

2. That the Department shall forward a copy of this Adoption Order and the adopted Examination Report, as filed, to the Company via certified mail. The mailing to the Company shall include specimen affidavit forms for the Company's Board of Directors to use in acknowledgement of receipt of the adopted Report of Examination and this Adoption Order;

3. That within twenty (20) days of receipt of this Adoption Order and the adopted Examination Report, the Company shall file with the Department affidavits executed by each one of its directors, stating under oath or affirmation that each has received a copy of this Adoption Order and the adopted Examination Report;

4. That the adopted Examination Report shall be open for public inspection upon the expiration of thirty (30) days from the Company's receipt of this Adoption Order;

5. That the Company maintain an antifraud plan as required by Ark. Code Ann. § 23-66-510 and Department Rule 66; and

6. That the Company maintain a complaint register as required by Ark. Code Ann. § 23-66-206(4) and Department Rule 44.

**IT IS SO ORDERED this 12<sup>th</sup> day of February, 2019.**

  
**ALLEN KERR**  
**INSURANCE COMMISSIONER**  
**STATE OF ARKANSAS**