STATE OF NORTH DAKOTA

BEFORE THE COMMISSIONER OF INSURANCE

In the Matter of	)	
	)	
North Dakota Vision Service, Inc., FEIN 45-6039280,	)	**CONSENT ORDER**
	)	
	)	**FILE NO. CO-06-182**
Respondent.	)	

Commissioner of Insurance Jim Poolman (hereinafter "Commissioner") has determined as follows:

1. The Commissioner has authority in this matter pursuant to N.D. Cent. Code Title 26.1.

2. North Dakota Vision Service, Inc., FEIN 45-6039280 (hereinafter "Respondent"), is a nonprofit health service corporation organized under N.D. Cent. Code Chapter 26.1-17 and licensed in North Dakota.

3. According to information received by the Department, during the time period of at least January 2004 through December 2005 approximately 71 unappointed agents engaged in the business of selling policies issued by Respondent to North Dakota individuals and corporations without appointments as required by N.D. Cent. Code § 26.1-26-13.1. Respondent's conduct violates N.D. Cent. Code § 26.1-26-13.1.

4. N.D. Cent. Code § 26.1-17-23 provides that sales persons for a health service corporation are subject to the laws pertaining to insurance producers as defined in N.D. Cent. Code Chapter 26.1-26.

5. Respondent may be subjected to an administrative penalty pursuant to N.D. Cent.

Code § 26.1-26-50.

6. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D. Cent. Code § 28-32-22.

7. For purposes of resolving this matter, without further administrative proceedings, Respondent and the Commissioner have agreed to enter into the following Order:

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent is assessed an administrative penalty in the amount of $2,000 which shall be paid within 15 days of the execution of this Order.

2. Respondent appointed all producers with whom it contracts to sell its policies and shall comply with North Dakota law regarding all future appointments.

3. The use of or any reference to this Consent Order for competitive purposes by an insurance producer or agency holding a license in the state of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition pursuant to N.D. Cent. Code Chapter 26.1-04, Prohibited Practices in Insurance Business, and be grounds for suspension or revocation of said license or authority, or other administrative penalty.

DATED at Bismarck, North Dakota, this 31st day of March, 2006.

Jim Poolman
Commissioner of Insurance
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, Timothy J. Huckle, **on behalf of North Dakota Vision Service, Inc.**, states that he has read the foregoing Consent Order, that he knows and fully understands its contents and effect; that he has been advised of his right to be represented by legal counsel, his right to a hearing in this matter, his right to present evidence and arguments to the Commissioner, and his right to appeal from an adverse determination after hearing; and that by signing this Consent to Entry of Order, he waives those rights in their entirety, and consents to entry of this Order by the Commissioner of Insurance. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties hereto, there being no other promises or agreements, either expressed or implied.

DATED this 23rd day of March, 2006.

North Dakota Vision Service, Inc.

By: _____
Timothy J. Huckle, President

Subscribed and sworn to before me
this 23rd day of March, 2006.

_____
Notary Public

My commission expires: 1-23-09

FRANCINE ASK
Notary Public
State of North Dakota
My Commission Expires Jan. 23, 2009