

OHIO DEPARTMENT OF INSURANCE

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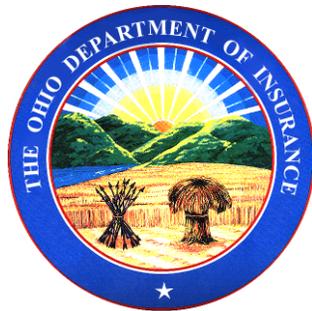
MARKET CONDUCT EXAMINATION

OF

**EQUITABLE LIFE AND CASUALTY INSURANCE COMPANY
NAIC # 62952**

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:

Equitable Life and Casualty Insurance Company
NAIC# 62952.

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

Respectfully submitted,

Lynette Baker
Chief, Market Regulation Division

August 17, 2009

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 Equitable Life and Casualty Insurance Company (“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:

Company Name	Number of Unique Agents	Number of Policies Written	Number of Exceptions	Error Rate	Reason for Exceptions
Equitable Life	4	6	0	0%	none

The Company met this standard requirement.

This concludes the report of the Market Conduct Examination of Equitable Life and Casualty Insurance Company. The examiners, Don Layson and Angela Dingus would like to acknowledge the assistance and cooperation provided by the management and the employees of the Company.



Don Layson
Examiner-in-Charge

August 17, 2009

Date