FILED

SEP 15 2025

INSURANCE REGULATION
Docketed by:

OFFICE OF INSURANCE REGULATION

MICHAEL YAWORSKY
COMMISSIONER

Index: OIR 2025-190

IN THE MATTER OF: CASE NO.: 401470-25-CO

THE FIRST LIBERTY INSURANCE CORPORATION
/

CONSENT ORDER

THIS CAUSE came for consideration as the result of THE FIRST LIBERTY INSURANCE CORPORATION's ("FIRST LIBERTY") failure to timely file its multiple Medicare supplement ("Multiple Medicare Supplement") data with the FLORIDA OFFICE OF INSURANCE REGULATION (the "OIR") as required by section 627.6737, Florida Statutes (2024), and Rule 69O-156.018, *Florida Administrative Code*.[1] Following a complete review of the entire record, and upon consideration thereof, and being otherwise fully advised in the premises, the OIR hereby finds as follows:

1. The OIR has jurisdiction over the subject matter and the parties herein. FIRST LIBERTY is an insurer authorized to transact business in Florida and is subject to regulation by the OIR, under the Florida Insurance Code.

2. Insurers or other entities providing Medicare supplement insurance coverage in Florida subject to section 627.6737 and Rule 69O-156.018, of the *Code*, were required to report Multiple Medicare Supplement data for the calendar year 2024 to the OIR by March 1, 2025.

[1] All statutory citations contained herein refer to Florida Statutes (2024), unless otherwise noted.

3. In January 2025, the OIR issued a Data Call Notice for Multiple Medicare Supplement data to each insurer or insurer group required to submit a filing.

4. Insurers were required to submit Multiple Medicare Supplement data for calendar year 2024 to the OIR on or before March 1, 2025.

5. FIRST LIBERTY failed to submit timely its Multiple Medicare Supplement data to the OIR, by March 1, 2025.

6. On March 11, 2025, FIRST LIBERTY filed its Multiple Medicare Supplement data with the OIR.

7. Previously, FIRST LIBERTY failed to submit timely its 2023 Multiple Medicare Supplement data to the OIR. The 2023 Multiple Medicare Supplement data was due on March 3, 2024. FIRST LIBERTY submitted this data on April 8, 2024. As a result, the OIR issued a Letter of Guidance to FIRST LIBERTY on May 7, 2024.

8. Section 624.4211(1) provides that if the OIR finds that one or more grounds exist for the discretionary revocation or suspension of a certificate of authority issued under chapter 624, Florida Statutes, the OIR may, in lieu of such revocation or suspension, impose a fine upon the insurer.

9. The OIR finds that FIRST LIBERTY violated section 627.6737 and Rule 69O-156.018, of the *Code*.

10. The OIR finds that the repeat violation warrants a fine in the amount of $6,000 U.S. Dollars ("USD") for the violation pursuant to section 624.4211(2).

11. FIRST LIBERTY agrees to pay an administrative fine in the amount of $6,000 USD and administrative costs of $2,000 USD to the OIR within ten days of the execution of this Consent Order. FIRST LIBERTY shall not provide payment before the Commissioner executes

this Consent Order. FIRST LIBERTY shall send its payment to the address reflected on the invoice attached hereto as "Exhibit A."

12. Any deadlines, reporting requirements, other provisions, or requirements set forth in this Consent Order may be altered or terminated by written approval of the OIR. Such approval must be requested in writing prior to any proposed deviation from the terms of this Consent Order.

13. FIRST LIBERTY agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may result, without further proceedings, in the OIR suspending, revoking, or taking other administrative action as it deems appropriate upon FIRST LIBERTY's certificate of authority in this state in accordance with sections 120.569(2)(n) and 120.60(6).

14. FIRST LIBERTY additionally agrees that, upon execution of this Consent Order, failure to adhere to one or more of the terms and conditions contained herein may subject FIRST LIBERTY to such administrative action as the OIR deems appropriate as specifically authorized by law.

15. FIRST LIBERTY additionally agrees that any future violations of the statutes or rules named herein may be deemed willful, subjecting FIRST LIBERTY to penalties as the OIR deems appropriate.

16. FIRST LIBERTY expressly waives a hearing in this matter, the making of findings of fact and conclusions of law by the OIR, and all further and other proceedings herein to which it may be entitled by law or rules of the OIR. FIRST LIBERTY hereby knowingly and voluntarily waives all rights to challenge or to contest this Consent Order in any forum available to it, now or in the future, including the right to any administrative proceeding, state or federal court action, or any appeal.

17. Except as noted above, each party to this action shall bear its own costs.

18. The parties agree that this Consent Order shall be deemed to be executed when the OIR has signed a copy of this Consent Order bearing the notarized signature of the authorized representative of FIRST LIBERTY.

WHEREFORE, the agreement between THE FIRST LIBERTY INSURANCE CORPORATION and the FLORIDA OFFICE OF INSURANCE REGULATION, the terms and conditions of which are set forth above, is APPROVED.

All terms and conditions contained herein are hereby ORDERED.

DONE AND ORDERED this 15 day of SEPTEMBER, 2025.

Michael Yaworsky, Commissioner
Office of Insurance Regulation

By execution hereof, THE FIRST LIBERTY INSURANCE CORPORATION, consents to entry of this Consent Order, agrees without reservation to all the above terms and conditions, and shall be bound by all provisions herein. The undersigned represents that they have the authority to bind THE FIRST LIBERTY INSURANCE CORPORATION, to the terms and conditions of this Consent Order.

THE FIRST LIBERTY INSURANCE CORPORATION

By: ~~SEB~~ _____

[Corporate Seal]

Print Name: SEBESTYEN MARTENS

Title: REGULATORY COUNSEL

Date: 9/9/25

STATE OF Massachusetts

COUNTY OF Suffolk

The foregoing instrument was acknowledged before me by means of ☒ physical presence or ☐ online notarization, this 9th day of September 2025, by Sebestyen Martens (name of person) as Regulatory Counsel (type of authority; e.g., officer, trustee, attorney in fact) for The First Liberty Insurance Corporation (company name).

Hope M. Vardaro
(Signature of the Notary)

Hope M. Vardaro
Print, Type or Stamp Commissioned Name of Notary)

Personally Known ✓ OR Produced Identification _____

Type of Identification Produced _____

My Commission Expires _____

Hope M. Vardaro
NOTARY PUBLIC
Commonwealth of
Massachusetts
My Commission Expires
12/18/2026

COPIES FURNISHED TO:

HAMID T. MIRZA
PRESIDENT
The First Liberty Insurance Corporation
175 Berkeley Street
Boston, Massachusetts 02116
Telephone: (617) 357-9500
Email: Statutory.Compliance@LibertyMutual.com

SAMANTHA HEYN
DIRECTOR
Florida Office of Insurance Regulation
Life & Health Market Regulation
200 East Gaines Street
Tallahassee, Florida 32399

CHRISTOPHER WILDERMUTH
ASSISTANT GENERAL COUNSEL
Florida Office of Insurance Regulation
200 E. Gaines Street
Tallahassee, Florida 32399
Telephone: (850) 413-3119
Email: Christopher.Wildermuth@floir.com