

VIATICAL SETTLEMENT CONTRACTS (EXCERPT)
Act 386 of 1996

550.528 Order prohibiting provider from entering viatical settlement contract; additional orders.

Sec. 8.

(1) The commissioner may issue an order prohibiting the provider from entering into a viatical settlement contract in this state if the commissioner finds any of the following:

- (a) The provider has been fraudulent or engaged in dishonest practices.
- (b) The provider demonstrates a pattern of unreasonable payments to policy owners.
- (c) The provider has been convicted of a felony or any misdemeanor that involved criminal fraud.
- (d) The provider has violated a provision of this act.

(2) In addition to the order under subsection (1), the commissioner may order any of the following:

- (a) Payment of a civil fine of not more than \$500.00 for each violation.

(b) If the provider knew or reasonably should have known that the provider was in violation of this act, the repayment of all consideration paid by or on behalf of a viator for a viatical settlement contract affected by the violation and a civil fine of not more than \$2,500.00 for each violation.

- (c) A cease and desist order.

History: 1996, Act 386, Eff. Mar. 31, 1997 ;-- Am. 1997, Act 189, Imd. Eff. Dec. 30, 1997

Compiler's Notes: For transfer of authority, powers, duties, functions, and responsibilities of the insurance bureau and the commissioner of insurance to the commissioner of the office of financial and insurance services and the office of financial and insurance services, see E.R.O. No. 2000-2, compiled at MCL 445.2003 of the Michigan compiled laws.