

BEFORE ALLAN L. MCVEY, INSURANCE COMMISSIONER
OF THE STATE OF WEST VIRGINIA

In the Matter of:

STARR INDEMNITY & LIABILITY COMPANY (NAIC No. 38318)

Administrative Proceeding No. 23-IC-156704

**AGREED ORDER ADOPTING REPORT OF
MARKET CONDUCT EXAMINATION, DIRECTING
CORRECTIVE ACTION AND ASSESSING PENALTY**

NOW COMES, Allan L. McVey, Insurance Commissioner of the State of West Virginia (hereinafter, “Commissioner”), and Starr Indemnity & Liability Company (hereinafter, “Starr”) who, after consideration of the *Report of Market Conduct Examination* (hereinafter, the “*Examination Report*”) of Starr have agreed to the entry of this Order.

FINDINGS OF FACT

1. The market conduct examination was a targeted examination focusing on the statutes, rules, and regulations pertaining to workers’ compensation claims handling. The examination was conducted in accordance with W.Va. Code §33-2-9(c) by examiners duly appointed by the Commissioner and covered the period of November 1, 2020 through October 31, 2023.
2. On or about September 17, 2025, the examiner filed with the Commissioner, pursuant to W. Va. Code §33-2-9, the *Examination Report*.
3. A true copy of the *Examination Report* was provided to Starr and Starr was notified, pursuant to W.Va. Code §33-2-9(j)(2), that it had ten (10) days after receipt of the *Examination*

Report to file a submission or rebuttals with the Commissioner. Starr timely filed a submission/rebuttal.

4. As set forth in the *Examination Report*, the examination focused on the methods used by Starr to manage its operations for each of the areas examined, including whether and how Starr complies with West Virginia statutes and rules pertaining to the handling of workers' compensation claims.

5. A total of eighteen (18) standards were reviewed during the examination. The *Examination Report* indicates that the company was compliant with ten (10) standards, predominantly compliant with five (5) standards, and non-compliant with three (3) standards.

6. The Commissioner reviewed the *Examination Report* and considered Starr's submissions/rebuttals. Starr agrees to the entry of this Order and waives notice of administrative hearing, any and all rights to an administrative hearing, and to judicial review of this matter.

CONCLUSIONS OF LAW

1. The Commissioner has jurisdiction over the subject matter and the parties to this proceeding.

2. This proceeding is conducted pursuant to and in accordance with W. Va. Code §§33-2-9 and 33-3-11.

3. The Commissioner is charged with the responsibility of verifying Starr's continued compliance with West Virginia law.

4. Starr was found to have multiple violations of West Virginia law as detailed in the attached *Examination Report*.

5. As detailed in the *Examination Report*, Starr failed to comply with provisions of West Virginia law. A summary of violations is set forth below.

- Standard G1: In eight (8) files, Starr did not issue all compensability decisions in accordance with W.Va. Code R. § 85-1-10.1.
- Standard G4: In six (6) occupational pneumoconiosis claims, the referral to the Occupational Pneumoconiosis Board was not timely. In two (2) occupational pneumoconiosis cases reviewed, Starr did not timely transmit the findings of the Occupational Pneumoconiosis Board to the Claimant.
- Standard G7: In seven (7) paid claims there were decision letters that did not contain all the information required by West Virginia law.(West Virginia Insurance Bulletin No. 22-07) The company should also ensure that claimants are reimbursed timely for reasonable travel expenses pursuant to W.Va. Code R. § 85-1-15.
- Standard G12: In six (6) claims, the company did not properly report to EDI as required by West Virginia law.

6. The Commissioner has determined that Starr should be assessed a monetary penalty for violating the standards as set forth in the *Examination Report*.

ORDER

Pursuant to W.Va. Code §§ 33-2-9(j)(3)(A), following the review of the *Examination Report*, the examination work papers, and Starr's response thereto, the Commissioner and Starr have agreed to enter into the Agreed Order adopting the *Examination Report* and the imposition of an administrative penalty as set forth below. It is accordingly **AGREED** and **ORDERED** as follows:

1. The referenced and attached *Examination Report* is hereby **ADOPTED** and **APPROVED** by the Commissioner and, by this reference, incorporated herein and made a part hereof.

2. Starr shall comply with the recommendations contained in the *Examination Report*.

3. Starr shall continue to monitor its compliance with applicable West Virginia law.

4. Starr shall specifically cure the violations and deficiencies identified in the *Examination Report* so as to bring itself into compliance and conformity with West Virginia law, as set forth hereinabove, to the extent such has not already been completed and/or accomplished.

5. Starr will file a Corrective Action Plan (CAP), subject to the approval of the Commissioner, which said CAP shall detail Starr's changes to its procedures and/or internal policies to ensure compliance with West Virginia law and shall further incorporate all recommendations of the Commissioner's examiners and address all violations specifically cited in the *Examination Report*.

6. The CAP shall be submitted to the Commissioner for his approval within 30 days of the date this order is entered.

7. Starr shall make reasonable changes to the CAP if and as directed by the Commissioner within 30 days of its receipt of the Commissioner's changes to, or disapproval of, the CAP.


8. Starr shall, within 90 days of its receipt of notice from the Commissioner of his final approval thereof, implement the CAP.

9. Within thirty (30) days of the next regularly scheduled meeting of its Risk and Compliance Committee of the Board of Directors, Starr Indemnity shall file with the Commissioner, in accordance with W.Va. Code 33-2-9(j)(4), an affidavit executed by Francesca Lulgjuraj, Associate General Counsel and Global Compliance Director, stating under oath that every member of the Risk and Compliance Committee of the Board of Directors has received a copy of the adopted *Examination Report* and this Order.

10. Starr shall pay an administrative penalty in the amount of Fifteen Thousand Dollars (\$15,000.00) for its non-compliance with West Virginia law as set forth hereinabove, the assessment of which penalty is in lieu of any other regulatory penalty and shall be remitted within 30 calendar days of the date this order is entered by the Commissioner.

11. It is AGREED and ORDERED that all such statutory notices, administrative hearings and appellate rights are herein waived by Starr concerning this Report of Market Conduct Examination and Agreed Order.

Entered this 6th day of March, 2026.


Allan L. McVey
CPCU, ARM, AAI, AAM, AIS
Insurance Commissioner

