

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

*In the Matter of:*

**WEST VIRGINIA COUNTIES GROUP SELF-INSURANCE RISK POOL**

ADMINISTRATIVE PROCEEDING NO. 22-IC-02024

ORDER ADOPTING REPORT OF FINANCIAL EXAMINATION

NOW COMES, Allan L. McVey, Insurance Commissioner of the State of West Virginia (hereinafter, “Commissioner”), who, after consideration of the Report of Financial Examination (hereinafter, the “Examination Report”) of West Virginia Counties Group Self-Insurance Risk Pool (hereinafter referred to as “Pool” or “WVCoRP”), as of June 30, 2021, made the following findings of fact, conclusions of law and order.

FINDINGS OF FACT

1. The Pool was formed on May 4, 2007, and commenced operations on July 1, 2007. The Pool was established pursuant to the provisions of W.Va. CSR Title 114 Series 65, Self-Insurance Pools for Political Subdivisions. According to its amended and restated Bylaws, the Pool was formed for the purpose of enabling West Virginia governmental entities to pool retention of their risks by creating a group funding to pay liability, including workers’ compensation, claims and property losses of the local governments and other local agencies, departments, boards and authorities joining the Pool. Beginning July 1, 2020, the Pool began offering coverage to West Virginia municipalities.

2. An examination of the financial condition and operational affairs of the Company for period beginning July 1, 2017, and ending June 30, 2021, was conducted in accordance with *West Virginia Code* §33-2-9(a), as amended, by the Insurance Commissioner.

3. On April 6, 2022, the examiner filed a Report of Financial Examination with the

Insurance Commissioner pursuant to *West Virginia Code* §33-2-9(j)(2). A copy of the Report of Financial Examination is attached hereto as Exhibit A and incorporated herein as if set forth in full.

4. On April 11, 2022, a true and accurate copy of the Report of Financial Examination was mailed to Chris Carey, Administrator. A copy of the Letter dated April 11, 2022, is attached hereto as Exhibit B.

5. Pursuant to *West Virginia Code* §33-2-9(j)(2), the Company, by letter dated April 11, 2022, Exhibit B, was notified and afforded a period of ten (10) days, after receipt of the Report of Financial Examination, to make a submission, rebuttal, or objection concerning any matter contained in the Report.

6. By letter dated April 11, 2022, Chris Carey acknowledged that he had reviewed the Report of Financial Examination and did not materially dispute the findings of the examination. A copy of the Company's email of April 11, 2022, is attached hereto as Exhibit C.

#### CONCLUSIONS OF LAW

1. The Insurance Commissioner is charged with the duty of administering and enforcing the provisions of Chapter 33, of the West Virginia Code of 1931, as amended.

2. The Pool is organized pursuant to provisions of W.Va. CSR Title 114, Series 65, Self-Insurance Pools for Political Subdivisions

3. *West Virginia Code* § 33-2-9(j)(2) provides that no later than sixty (60) days following completion of the examination, the examiner in charge shall file with the Insurance Commissioner a verified, written Report of Financial Examination under oath, and, upon receipt of the verified report, the Insurance Commissioner shall transmit the Report of Financial Examination to the Pool with a notice that shall afford the Pool a reasonable opportunity, of not more than thirty (30) days, to make a written submission or rebuttal.

4. *West Virginia Code* § 33-2-9(j)(3) provides that within thirty (30) days of the end of the period allowed for the receipt of written submissions or rebuttals the Insurance Commissioner shall fully consider and review the Report of Financial Examination, together with any written submissions or rebuttals, and shall enter an ORDER adopting the Report of Financial Examination as filed, or with modifications or corrections, enter an ORDER rejecting the Report of Financial Examination with directions to the examiners to reopen the examination or call for an investigatory hearing.

#### ORDER

It is therefore **ORDERED** as follows:

1. The Report of Financial Examination of the Company, attached hereto as Exhibit A, is hereby **ADOPTED** and **APPROVED** by the Insurance Commissioner.

2. A copy of this *Order Adopting Report of Financial Examination* and the Report of Financial Examination shall be mailed to the Company via certified mail, return receipt requested, upon entry by the Insurance Commissioner.

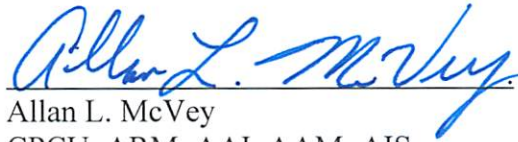
3. The Company shall file with the Insurance Commissioner, within thirty (30) days of the issuance of this Order, affidavits executed by each of its directors stating under oath that they have received a copy of the Report of Financial Examination and a copy of this *Order Adopting Report of Financial Examination* in accordance with *West Virginia Code* §33-2-9(j)(4).

4. The Company take whatever actions are required to comply with the recommendations set forth in the Report of Financial Examination, if any, and shall demonstrate compliance to the satisfaction of the Insurance Commissioner, if necessary.

5. Inasmuch as orders entered by the Insurance Commissioner are subject to judicial review as set forth in *West Virginia Code* §33-2-14, any person aggrieved by any this order may,

within 30 days after the order has been mailed or delivered to the persons entitled to receive the same, file an appeal in and with the Circuit Court of Kanawha County, West Virginia.

Entered this 18<sup>th</sup> day of April 2022.



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