



# OFFICE OF INSURANCE AND SAFETY FIRE COMMISSIONER

**RALPH T. HUDGENS**  
COMMISSIONER OF INSURANCE  
SAFETY FIRE COMMISSIONER  
INDUSTRIAL LOAN COMMISSIONER

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## DIRECTIVE 15-EX-1

**TO:** All Providers Licensed to Provide Continuing Care and/or Limited Continuing Care

**FROM:** Ralph T. Hudgens  
Insurance & Safety Fire Commissioner

**RE:** Escrow Agreement Required by O.C.G.A. § 33-45-8

**DATE:** February 9, 2015

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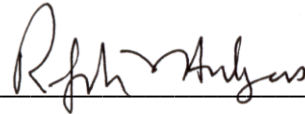
It has come to my attention that some persons licensed pursuant to O.C.G.A. §§ 33-45-1 *et seq.* to provide Continuing Care and/or Limited Continuing Care (“Providers”) are operating without a properly established escrow account and escrow agreement as required by O.C.G.A. § 33-45-8 (“Escrow Requirement”). The Escrow Requirement exists to protect consumers who invest considerable sums of money into these ventures. The failure by a Provider to comply with the Escrow Requirement is a substantial and knowing violation of Georgia law. By this Directive I am requiring all Providers to demonstrate compliance with the Escrow Requirement.

Below are the specific items each Provider must provide to the Department on or before Friday, March 20, 2015.

Please provide responses to the following:

1. Provide a brief narrative description of the process and procedures the Provider has implemented (or will implement) to ensure compliance with the Escrow Requirement.
2. Provide a copy of the escrow agreement which Provider established and maintains as required by the Escrow Requirement.
3. Provide the month end February 2015 bank statement from the financial institution where the escrow account is maintained.
4. Provide a description and reconciliation of all amounts which are held in escrow.

Should you have any questions regarding this directive, please contact the Office of the Commissioner of Insurance, Insurance and Financial Oversight Division, Market Regulation Section, Suite 602, West Tower, Floyd Building, 2 Martin Luther King Jr. Drive, Atlanta, Georgia 30334, or call 404-657-7277, or email [dpeirce@oci.ga.gov](mailto:dpeirce@oci.ga.gov).

A handwritten signature in black ink, appearing to read "Rph Hudgens", written over a horizontal line.

RALPH T. HUDGENS  
INSURANCE AND SAFETY FIRE COMMISSIONER  
STATE OF GEORGIA