

OCT 02 2024

FILED

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
	)	
PETITIONER,	)	
	)	
VS.	)	
	)	
CHRISTOPHER GIANUNZIO,	)	CAUSE NO. A-2402
(NAIC PRODUCER #17707163),	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Megan VanAusdall and Christopher Gianunzio, (“Respondent”) mutually stipulate and agree as follows:

JURISDICTION

1. The Nebraska Department of Insurance (“Petitioner”) is the duly designated agency of the State of Nebraska empowered to exercise jurisdiction and control over the licensing of insurance agents in Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 to 44-4067. Said jurisdiction and control have been present at all time’s material hereto.

2. Respondent has been a licensed resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATION OF FACT

1. Petitioner initiated this administrative proceeding by filing a Petition and Notice of Hearing, captioned State of Nebraska Department of Insurance vs. Christopher Gianunzio (NAIC National Producer #17707163), Cause Number A-2402, on September 4, 2024. A copy of the Petition and Notice of Hearing were sent to the Respondent at his registered address by certified

mail, return receipt requested, and by regular U.S. mail. Respondent acknowledges receiving proper Notice of these proceedings.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059 (1) (b), and 44-1524 (1), pursuant to 44-1525(11) as follows:

- a. On or about March 15, 2024, the Petitioner's Office received an email from the Center for Medicare Services (hereafter, "CMS"), requesting that Petitioner's Office review and validate a list of insurance agents selling policies through the Federally Facilitated Marketplace ("FFM") without being appointed by an insurance company, as required under law. A list of the names, associated National Producer Numbers ("NPN"), and other information was attached to CMS's email request, and Respondent appeared on that list, as well as his associated NPN.
- b. On or about the same date, March 15, 2024, Barbara Peterson ("Peterson"), administrator of the Petitioner's Insurance Complaints Division, sent a letter to Respondent's registered email address, "chris@gianunzioretirement.com," requesting a response to CMS's allegations that Respondent had sold insurance policies on the federal Exchange without a valid appointment by an insurance carrier. The letter also asked if Respondent was licensed to sell health insurance in Nebraska, and if so, which carrier Respondent held appointments with, among other requests for information.
- c. On or about April 8, 2024, when no response was received to her prior, March 2024 letter, sent as an email attachment, Peterson sent a second letter as an attachment to an email, addressed to Respondent's registered email address with

the Department, again requesting a response to CMS's allegations that Respondent had sold insurance policies on the federal exchange without being appointed by a valid insurance carrier.

- d. On or about August 7, 2024, having received no response to emailed correspondence, Peterson sent a letter via certified mail, return receipt requested, to Respondent's only registered address with the Department, 3220 Whitlock Rd, Lincoln, NE 68156, requesting a response to CMS's allegations that Respondent had sold insurance policies on the federal Exchange without a valid appointment by an insurance carrier. The letter also asked if Respondent was licensed to sell health insurance in Nebraska, and if so, which carrier Respondent held appointments with, among other requests for information. Included were copies of the previous inquiry letters, from March and April 2024, respectively. On or about September 4, 2024, the letter sent by certified mail, with its associated domestic return receipt was returned to Petitioner's office, marked "RETURNED; UNCLAIMED; UNABLE TO FORWARD."
- e. As of September 4, 2024, the Department had not received a response from the Respondent.

3. Respondent admits the allegations in Paragraph 2.

4. Respondent was informed of his right to a public hearing. Respondent waives that right and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that, by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

CONCLUSIONS OF LAW

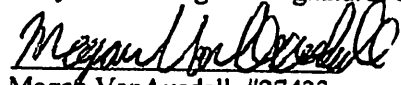
Respondent's conduct as alleged above constitutes a violation of Neb. Rev. Stat. §§ 44-4059 (1) (b), and 44-1524 (1), pursuant to 44-1525(11), and Respondent is subject to disciplinary action pursuant to Neb. Rev. Stat. § 44-4059.

CONSENT ORDER

It is therefore Ordered by the Director of Insurance and agreed by Respondent that:

- I. Respondent shall pay a fine in the amount of \$500.00, as allowed under law, to be paid within 60 days, with the understanding that if such amount is not paid in full by that date, Respondent's resident insurance license shall be suspended until such time as the balance of his account is cleared without opportunity for hearing.

In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



Megan VanAusdall, #27433  
Attorney for Petitioner  
1526 K Street, Suite 200  
Lincoln NE 6850  
(402) 471-4742

10-02-2024  
Date

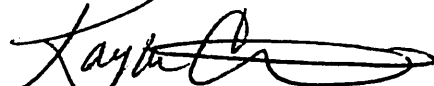


Christopher Gianunzio  
Respondent

10-2-2024  
Date

State of Nebraska )  
County of Lancaster ) ss.

On this 2<sup>nd</sup> day of October, 2024, Christopher Gianunzio personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.


  
Notary Public

KAYLA CHRISTENSEN  
General Notary - State of Nebraska  
My Commission Expires Jan 31, 2026

**CERTIFICATE OF ADOPTION**

I hereby certify that the foregoing Consent Order is adopted as the Final Order of the Nebraska Department of Insurance in the matter of State of Nebraska Department of Insurance vs. Christopher Gianunzio, NAIC Producer #17707163, Cause No. A-2402.

**STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE**



Eric Dunning  
Director of Insurance

10/2/24  
Date

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to his registered address with the Department, 3220 Whitlock Rd, Lincoln, NE 68516, by certified mail, return receipt requested, and by regular U.S. mail, on this 1<sup>th</sup> day of October 2024.

