

FEB 15 2024

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	
VS.)	
)	
DARLA ANDERSON)	CAUSE NO. A-2356
(NAIC Producer #18160359),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Michael W. Anderson, and Darla Anderson (“Respondent”), mutually stipulate and agree as follows:

JURISDICTION

1. Petitioner has jurisdiction over the subject matter and Respondent pursuant to Neb. Rev. Stat. §§ 44.101.01, and 44-4047 to 44-4067.
2. Respondent has been licensed as a resident insurance producer under the laws of Nebraska at all times material hereto.

STIPULATIONS OF FACT

1. Petitioner initiated this administrative proceeding by filing a Petition captioned State of Nebraska Department of Insurance vs. Darla Anderson (NAIC National Producer #18160359), Cause Number A-2356 on January 26, 2024. A copy of the Petition was sent to the Respondent at her 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) (g) as follows:

- a. On July 10, 2023, Petitioner's Office received a complaint concerning the Respondent.
- b. Also on July 10, 2023, Respondent was sent an inquiry letter, to the mailing address on file for the Respondent, requesting details of Respondent's actions connected to the policyholder(s).
 - a. In this inquiry, Respondent was asked to "Explain how you obtained [the policyholder's] contact information".
- c. On July 28, 2023, a response from the Respondent was received in Petitioner's Office.
 - a. This response failed to explain how Respondent obtained [the policyholder's] contact information.
 - b. Respondent stated that she called [the policyholder] on June 23, 2023, and set an appointment for June 26, 2023.
 - c. Despite stating that her initial contact with the policyholder was a phone call, the Initial Method of Contact field was marked as "Appointment".
 - d. Despite the Scope of Appointment reflecting an agreement to discuss "Medicare Advantage Plans (Part C) and Cost Plans, Respondent stated in her response that she had met with [the policyholder] to "review Medicare updates".
 - e. Respondent also claimed to have left a note with the policyholder regarding what she and the policyholder had discussed.

- d. On August 16, 2023, Respondent was sent an additional inquiry requesting, among other things, information that was not included in Respondent's prior response.
 - a. The due date for response on this inquiry was September 7, 2023, and no response was received from Respondent by that date, nor was an extension requested or granted.
- e. On September 22, 2023, a follow-up email was sent to Respondent regarding her delayed response.
- f. On September 25, 2023, Respondent provided an email response to the August 16, 2023 inquiry.
 - a. This response was not in letter format, and provided only the first page of the Medicare guide
- g. On October 6, 2023, two follow-up emails were sent to the Respondent requesting a response in letter format and including the full Medicare guide previously requested.
- h. On October 19, 2023, Respondent provided a response to Petitioner's Office.

3. Respondent was informed of her 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 her right to a public hearing, Respondent also waives her right to confrontation of witnesses, production of evidence, and judicial review.

CONCLUSIONS OF LAW

Respondent admits to the conduct as alleged above in paragraphs (a) through (h). Respondent admits conduct as alleged above in paragraphs (a) through (h) constitutes violations of Neb. Rev. Stat. §§ 44-4059 (1)(g) and Respondent is subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4059. Respondent agrees to resolve this matter as set forth below.

CONSENT ORDER

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

1. Respondent shall pay an administrative penalty of \$500 within 60 days of the execution of this Order. Should this penalty not be paid within that term, Respondent's producer's license shall be suspended until payment of said fine.
2. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such further orders as may be necessary.

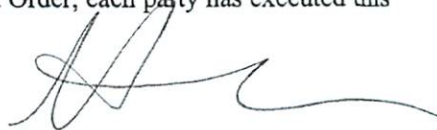
In witness of their intention to be bound by this Consent Order, each party has executed this document by subscribing their signatures below.



Michael W. Anderson, #25671
Attorney for Petitioner
1526 K Street, Suite 200
Lincoln NE 68501
(402) 471-2201

2/15/24

Date



Darla Anderson
Respondent

2/14/24

Date

State of Nebraska)
County of Douglas) ss.

On this 14th day of February, 2024, Darla Anderson personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be her voluntary act and deed.

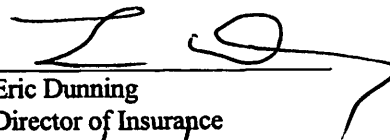
HANNAH HARDER
General Notary - State of Nebraska
My Commission Expires Jul 17, 2027


Notary Public

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. Darla Anderson (NAIC National Producer #18160359), Cause No. A-2356.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE


Eric Dunning
Director of Insurance
2/15/24
Date

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Consent Order was served upon Respondent by mailing a copy to her registered addresses at 15595 Walnut Circle, Omaha, Nebraska 68144 and 9850 Nicholas Street, Suite 200, Omaha, Nebraska 68114-2186, by certified mail, return receipt requested, and by regular U.S. mail, on this 15th day of February, 2024.

Shelly Storie