

AUG 04 2025

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, RECOMMENDED ORDER
PETITIONER,	)	AND ORDER
	)	
VS.	)	CAUSE NO. A-2487
	)	
RASHONE RIVERA,	)	
(NAIC Producer #20535795)	)	
	)	
	)	
	)	
RESPONDENT.	)	

This matter came up for hearing on June 17, 2025, before Megan VanAusdall, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance ("Department") was represented by its counsel, Michael Anderson. Rashone Rivera ("Respondent") was not present and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department presented evidence at the hearing and the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order:

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing Insurance Producers.

2. Respondent currently holds a non-resident insurance producer's license in the State of Nebraska. Respondent's registered residential address with the Nebraska Department of Insurance is 1801 CEDAR DR, COCONUT CREEK, Florida 33063, and his business and mailing address registered with the Department is 1550 SAWGRASS CORPORATE PKWY, SUNRISE, Florida 33323-2818. Respondent's personal email address is [rashone24@gmail.com](mailto:rashone24@gmail.com), and his business email is [rrivera@enhanceifplans.com](mailto:rrivera@enhanceifplans.com). (See Ex. 2, Attachment 1).

3. On or about October 30, 2024, Petitioner's Office, through their licensing administrator, Kevin Schlautman, ("Schlautman,") received notice from the Centers for Medicare & Medicaid

Services (“CMS”), that Respondent had been terminated from the Federally-Facilitated Exchange by the Centers for Medicare & Medicaid Services (“CMS”) for cause due to enrolling multiple consumers in coverage and/or switching their health plans through the Exchanges without their knowledge or consent. (See Ex. 2, Attachment 2)

4. Schlautman subsequently sent the CMS notice letter to Barbara Peterson, (“Peterson,”) the administrator of the insurance complaints division of the Petitioner’s Office. On or about November 06, 2024, Petitioner’s Office, through Peterson, attempted to contact Respondent by email and mail for a response to the termination. No response was received from these attempts. (See Ex. 1, Attachment 1)

5. On or about November 27, 2024, Petitioner’s Office, through Peterson, sent a follow up letter to Respondent by regular mail. No response was received from these attempts. (See Ex. 1, Attachment 2)

6. On or about January 3, 2025, a follow-up letter was sent to Respondent through Peterson, by certified mail, return receipt requested. Also enclosed were copies of the previous inquiry letters sent to Respondent. No response was received from these attempts and the Petitioner’s Office did not receive the certified mail return receipt card associated with the January 3, 2025 inquiry letter. (See Ex. 1, Attachment 3)

7. On or about March 5, 2025, Peterson sent Respondent a fourth and final inquiry letter, by certified mail, addressed to the business address on file for the Respondent, reiterating a request for statement. Here, it should be noted that the Petition and Notice of Hearing in this matter names February 27, 2025, as the date Peterson sent the final inquiry letter, however the exhibit and attachment on record accurately reflect a sending date of March 5, 2025. (See Ex. 1, Attachment 4)

8. On or about March 17, 2025, the return receipt card associated with the final inquiry letter, sent March 5, 2025, was returned to the Petitioner’s Office, signed, affirming delivery at that address. (See Ex. 1, Attachment 5)

9. As of June 17, 2025 Respondent has not provided a response to Petitioner’s Office. (See Ex. 1)

10. On or about April 14, 2025, Shelly Storie (“Storie”), an employee of the Petitioner’s Office, served a copy of the Petition and Notice of Hearing upon Respondent by sending it to Respondent’s residential address on file with the Department, at 1801 CEDAR DRIVE, COCONUT CREEK, Florida 33063, and to Respondent’s mailing address of 1550 SAWGRASS CORPORATE

PARKWAY, SUNRISE, Florida 33323-2818, by certified mail, return receipt requested, by regular U.S. mail and by electronic mail, addressed to [RASHONE24@GMAIL.COM](mailto:RASHONE24@GMAIL.COM) and to [RRIVERA@ENHANCEIFPLANS.COM](mailto:RRIVERA@ENHANCEIFPLANS.COM). (See Ex. 3)

11. On or about April 21, 2025, the domestic return receipt card connected to the mailing sent to 1550 SAWGRASS CORPORATE PARKWAY, SUNRISE, Florida 33323-2818 was returned to the Petitioner's Office, signed, confirming receipt. As of the hearing date, the letter sent by regular mail has not been returned to the Petitioner's Office. (See Ex. 3, Attachment 1)

12. On or about April 28, 2025, the domestic return receipt card connected to the mailing sent to 1801 CEDAR DRIVE, COCONUT CREEK, Florida 33063 was returned to the Petitioner's Office, signed, confirming receipt. As of the hearing date, the letter sent by regular mail has not been returned to the Petitioner's Office. (See Ex. 3, Attachment 2)

#### CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 et seq.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059(1)(b), the director may suspend or revoke an insurance producer's license or may levy an administrative fine for violating any insurance law or violating any rule, regulation, subpoena, or order of the director or of another state's insurance commissioner or director.

4. Pursuant to Neb. Rev. Stat. § 44-1524 (1), it shall be an unfair trade practice in the business of insurance for any insurer "to commit any act or practice defined in section 44-1525 if the act or practice is committed flagrantly and in conscious disregard of the Unfair Insurance Trade Practices Act or any rule or regulation adopted pursuant to the act."

5. Pursuant to Neb. Rev. Stat. § 44-1525 (11), it shall be unfair trade practice in the business of insurance if any insurer if they engage in the "[f]ailing of any insurer, upon receipt of a written inquiry from the department, to respond to such inquiry or request additional reasonable time to respond within fifteen working days."

6. Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(b), 44-1524(1), and 44-1525(11) as a result of the conduct set forth in the Findings of Fact.

### DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's registered addresses. The Department also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirmed a follow-up letter was sent to Respondent delivery to the Respondent. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at its mailing address was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

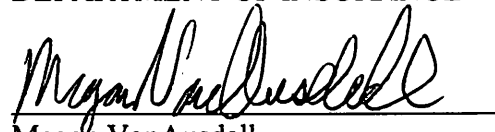
The uncontested evidence shows that Respondent failed to respond to multiple attempts by the Petitioner's Office to communicate, in violation of the Nebraska Insurance Producers Act as well

### RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent be ordered to 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 non-resident insurance license shall be suspended until such time as the balance of his account is cleared without opportunity for hearing. 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.

Dated this 25<sup>th</sup> day of July 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
Megan VanAusdall  
Hearing Officer




### CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Rashone Rivera (NAIC Producer #20535795), Cause No. A-2487.

Dated this 4<sup>th</sup> day of August 2025.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
Eric Dunning  
Director of Insurance

### CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered residential, mailing, and business addresses with the Department: at 1801 CEDAR DRIVE, COCONUT CREEK, Florida 33063, and to Respondent's mailing address of 1550 SAWGRASS CORPORATE PARKWAY, SUNRISE, Florida 33323-2818, by certified mail, return receipt requested, by regular U.S. mail and by sending a copy by electronic mail, addressed to [RASHONE24@GMAIL.COM](mailto:RASHONE24@GMAIL.COM) and to [RRIVERA@ENHANCEIFPLANS.COM](mailto:RRIVERA@ENHANCEIFPLANS.COM), on this 4<sup>th</sup> day of August 2025.

