STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

AUG 26 2026

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA DEPARTMENT OF INSURANCE, PETITIONER, VS. Frank Guzman (NAIC Producer #19978150) RESPONDENT.	FINDINGS OF FACT, CONCLUSIONS OF LAW, RECOMMENDED ORDER AND ORDER CAUSE NO. A-2598

This matter came on for hearing on July 28, 2026, 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. Frank Guzman ("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 business address with the Department is 951 Broken Sound PKWY, NW STE 108, BOCA RATON, Florida 33487-3531. Respondent's registered residential and mailing address with the Department is 10640 NW 39TH ST, CORAL SPRINGS, Florida 33065-

2381. Respondent's registered business and personal email address with the Department is frankguzmanhi@gmail.com. (Ex. 2, Attachment 1).

3. On November 17, 2025, a For Cause Termination Notice from Ambetter Health concerning the Respondent was sent to the Insurance Complaint Division. (Ex. 2, Attachment 2).

4. On November 18, 2025, Petitioner's office contacted Respondent via email to request response to his termination for cause from Ambetter. Respondent had been terminated due to enrolling consumers without their knowledge or consent in plans based in states where they did not reside. (Ex. 1, Attachment 1).

5. On December 1, 2025, Respondent replied via email, indicating a third-party vendor did not properly collect consent and documentation from the client on his behalf. Respondent also indicated he was prepared to provide a compliance memorandum and email correspondence from the third-party vendor. (Ex. 1, Attachment 2).

6. On December 2, 2025, Petitioner's office sent a follow up email to Respondent requesting additional information regarding the third-party vendor and to provide the documents he had referenced. (Ex. 1, Attachment 3).

7. On December 15, 2025, Respondent replied and referenced attached documents that were not present in his response. (Ex. 1, Attachment 4).

8. On December 16, 2025, Petitioner's office sent a follow up email to Respondent requesting clarification about the purported attachments from his previous response. (Ex. 1, Attachment 5).

9. On January 6, 2026, Petitioner's office sent a reminder to Respondent to provide clarification on any further documentation as part of his statement. (Ex. 1, Attachment 6).

10. On January 20, 2026, Respondent replied, indicating he did not have any additional information to share and had not provided any attachments with his response. (Ex. 1, Attachment 7).

11. On or about June 9, 2026, the Petition and Notice of Hearing were served upon Respondent by mailing the same to his registered business, mailing and residential addresses, at 951 Broken Sound PKWY, NW STE 108, BOCA RATON, Florida 33487-3531 and 10640 NW 39TH ST, CORAL SPRINGS, Florida 33065-2381, respectively, by certified mail, return receipt requested, and via regular mail. (Ex. 3)

12. On or about June 22, 2026, the Domestic Return Receipt Card associated with the letter sent by certified mail to Respondent's address in Coral Springs, FL was returned, signed, confirming delivery. (Ex. 3, Attachment 1)

13. On or about July 17, 2026, the letter and its associated domestic return receipt card sent by certified mail to Respondent's address in Boca Raton, FL, was returned to the Department by the United States Postal Service ("USPS") marked "RETURN TO SENDER, NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD." (Ex. 3, Attachment 2)

14. On or about July 23, 2026, the letter sent to Respondent by regular mail to his address in Boca Raton, FL, was returned to the Department by the United States Postal Service ("USPS") marked "RETURN TO SENDER, NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD." (Ex. 3, Attachment 3)

15. As of July 28, 2026, the letter sent to Respondent's address in Coral Springs, FL by regular mail has not been returned to the Department. (Ex. 3).

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, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine against an insurance producer's license if it is found that the producer has engaged in "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. § 44-4059(1)(g), the Director may suspend, revoke, or refuse to issue or renew an insurance producer's license or may levy an administrative fine against an insurance producer's license if it is found that the producer has engaged in "having admitted or been found to have committed any insurance unfair trade practice, any unfair claims settlement practice, or fraud".

5. 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."

6. 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."

7. Respondent violated Neb. Rev. Stat. § 44-4059(1)(b) & (g), Neb. Rev. Stat. § 44-1524 (1), and Neb. Rev. Stat § 44-1525 (11), as a result of the conduct found in the Findings of Fact and as evidenced by the relevant exhibits received.

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, regular U.S. mail to the Respondent's registered addresses, and by email to Respondent's registered email address.

The uncontested evidence shows that, while Respondent did respond in part to the Department's written inquiries, on at least one occasion Respondent failed to provide an adequate response. Additionally, there is credible evidence listed in the Findings of Fact section showing that Respondent's conduct constituted an unfair trade practice, settlement practice, or fraud in the business of insurance.

These actions constitute violations of Neb. Rev. Stat. § 44-4059(1)(b) & (g), Neb. Rev. Stat. § 44-1524 (1), and Neb. Rev. Stat § 44-1525 (11).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident license be fined in the amount of $500.00, to be paid within sixty days of the effective date of this Order, under the provision that if the fine is not paid in full within that time period, Respondent's insurance producer's license in this state may be suspended without further process until the balance is cleared. 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 orders as may be necessary.

Dated this 19th day of August 2026.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Megan VanAusdall #27433
Hearing Officer

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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. Frank Guzman (NAIC Producer #19978150), Cause No. A-2598.

Dated this 26th day of August 2026.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Eric Dunning
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Petition and Notice of Hearing was served upon Respondent by emailing a copy to his registered personal and business email address at frankguzmanhi@gmail.com, and by mailing a copy to his registered business, mailing, an residential address on file with the Department at 951 Broken Sound PKWY, NW STE 108, BOCA RATON, Florida 33487-3531 and 10640 NW 39TH ST, CORAL SPRINGS, Florida 33065-2381, by certified mail, return receipt requested, and by regular U.S. mail, on this 26th day of August 2026.

Shelley Stone