

SEP 01 2020

FILED

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
	)	
PETITIONER,	)	
	)	
VS.	)	
	)	
JARED COHEN	)	CAUSE NO. A-2224
(NAIC Producer #17535727),	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Michael W. Anderson, and Jared Cohen (“Respondent”), by and through his attorney, Ann Frohman, 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 non-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. Jared Cohen (NAIC National Producer #17535727), Cause Number A-2224 on July 8, 2020. A copy of the Petition was 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.

RECEIVED

AUG 20 2020

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

- a. In early 2020, Martin Swanson (Complainant) received a phone call from Mr. Shane Quinn, a subordinate of Respondent, from a number with a “402” area code, normally associated with an area inside Nebraska.
- b. On October 25, 2018, the Nebraska Department of Insurance Director Bruce R. Range issued an order of the director, pronouncing that “spoofing”, or falsifying the number that appears on a recipient’s caller ID display, was specifically prohibited, and that agencies are responsible for the conduct of their employees participating in the practice.
- c. When asked by Complainant if Mr. Quinn was located in Nebraska, Mr. Quinn responded that he was not, that he was instead based out of state. Mr. Quinn held a non-resident producer license in the State of Nebraska.
- d. During that same phone call, Mr. Quinn relayed to Complainant that he could get Complainant Affordable Care Act (ACA) coverage, even though it was not the open enrollment period.
- e. Mr. Quinn also informed complainant that his immediate supervisor was the Respondent, Jared Cohen, who is one of the managing partners of America’s Health Providers.
- f. On April 2, 2020, Petitioner’s office contacted Respondent to discuss Respondent’s marketing in Nebraska. A follow-up, written request for certain materials was sent to Respondent on April 3, 2020.

- g. A response was received, but due to the incomplete nature of said response, a follow-up letter was sent to respondent on April 6, 2020. Respondent was notified again of the need for a response on April 27, 2020 by email, from which a read receipt was received. A final request for response was sent on May 18, 2020 by certified mail. A signed Domestic Return Receipt was received by Petitioner's Office on May 28, 2020. No response was received from Respondent until June 16, 2020, nor was additional time ever requested for Respondent to provide a complete answer to the April 6, 2020 request.
- h. When Respondent's complete answer was received on June 16, 2020, it was reviewed by Petitioner's office and it was found that the plans were not ACA plans. It was additionally found that the plans offered in the Colonial Health and Unified Caring Association (UCA) brochure given by Respondent and said to be health insurance, were not insurance, but were in fact, limited benefit plans. These limited benefit plans were part of the MultiPlan limited benefit plan network.
- i. Respondent, prior to this action, terminated the employment of Shane Quinn as an agent of America's Health Providers.
- j. A shelter in place order due to COVID-19 was issued April 3, 2020 by Florida Governor Ron DeSantis. All employees under Respondent's management transitioned to work from home at that time.
- k. Respondent has developed best practices to deal with work from home employees to avoid any issues in the future.

CONCLUSIONS OF LAW

Respondent neither admits nor denies conduct as alleged above in paragraphs a, b, and c. Respondent admits conduct as alleged above in paragraphs f and g constitutes violations of Neb. Rev. Stat. §§ 44-4059 (1) (b), 44-4059 (1) (e), 44-4059 (1) (g), 44-4059 (1) (h), 44-1524 (1), and 44-1525 (11), 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

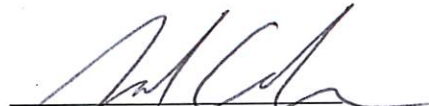
It is therefore Ordered by the Director of Insurance and agreed by Respondent that:

1. Respondent agrees to pay an administrative penalty of \$3,000.
2. Respondent agrees to formulate and abide by their own developed best practices to avoid the issues brought in this matter from occurring in the future, and also agrees to furnish Petitioner's Office with a copy of said best practices.
3. Respondent agrees to undertake a review of all of their current agents to assure that the actions taken by Shane Quinn are not being replicated elsewhere in Respondent's agency.
4. 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 should Respondent fail to pay the aforementioned penalty or take the aforementioned actions.

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  
1135 M Street, Suite 300



Jared Cohen  
Respondent

Lincoln NE 68501  
(402) 471-2201

9/3/2020

Date

Ann M. Frohman

Ann Frohman  
Attorney for Respondent

State of Florida )

) ss.

County of Palm Beach )

August 19, 2020

Date

On this 19<sup>th</sup> day of August, 2020, Jared Cohen personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.



Me'Shelle La'Shay Parker  
Comm #GG982592  
Expires: April 28, 2024  
Bonded Thru Aaron Notary

Me'Shelle La'Shay Parker  
Notary Public  
Me'Shelle La'Shay Parker  
August 19, 2020

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. Jared Cohen (NAIC National Producer #17535727), Cause No. A-2222.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

Bruce R. Range

Bruce R. Range  
Director of Insurance

9-1-2020

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 business and home addresses at 141 NW 20th Street, Suite G6, Boca Raton, Florida, 33431-7982 and 21221 Sawmill Court, Boca Raton, Florida, 33498, by certified mail, return receipt requested, by regular U.S. mail, and via email to his attorney, Ann Frohman, on this 3<sup>rd</sup> day of September, 2020.

Shelley Storie