

JAN 20 2023

FILED

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	CONSENT ORDER
)	
PETITIONER,)	
)	
VS.)	
)	
MICHELLE GIROUX)	CAUSE NO. A-2303
(NAIC Producer #19419586),)	
)	
RESPONDENT.)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Cheryl Wolff, and Michelle Giroux (NAIC Producer #19419586) (“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. Michelle Giroux (NAIC Producer #19419586), Cause Number A-2303 on October 21, 2022. A copy of the Petition was sent to the Respondent at her registered address at 817 NO 131 PLZ, Omaha, Nebraska, 68154, 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) and 44-1524 (1) as follows by failing to respond to an inquiry from the Department, as further set forth below:

a. In July of 2022, a complaint was received concerning the Respondent.

b. Due to this complaint, Respondent was sent several requests for certain information, and failed to respond to those requests as follows:

i. The original inquiry was sent on July 5, 2022, to the email address on file with the Department. No response was received.

ii. A follow-up inquiry was sent on July 27, 2022, by email because no response was received to the original inquiry. No response was received.

iii. A final request for a response was sent to the Respondent on August 11, 2022, by certified mail to the business and mailing address on file for the Respondent.

iv. On September 12, 2022, the certified letter was returned to the Department of Insurance unclaimed.

3. Respondent admits the allegations in Paragraph 2.

4. 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's conduct as alleged above constitutes violations of Neb. Rev. Stat. §§ 44-4059 (1) (g) and 44-1524 (1), 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:

1. Respondent agrees to pay an administrative penalty in the amount of Five Hundred Dollars (\$500) in order to fully resolve this matter and avoid further litigation.

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



Cheryl Wolff, #22990
Attorney for Petitioner
1526 K Street, Suite 200
Lincoln NE 68509
(402) 471-2201

1/20/23
Date


Michelle Giroux
Respondent

1/19/23
Date

State of Nebraska)
)
County of Douglas) ss.

On this 19 day of January, 2023, Michelle Giroux, personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be her voluntary act and deed.



Christina M. Craft
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. Michelle Giroux (NAIC National Producer #19419586), Cause No. A-2303.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE

Eric Dunning
Eric Dunning
Director of Insurance

1/20/23
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 business and mailing address at 817 NO 131 PLZ, Omaha, Nebraska, 68154, by certified mail, return receipt requested, by regular U.S. mail, and via email to mgiroux@healthmarkets.com, on this 20th day of January, 2023.

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