

MAR 30 2023

BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA)	
DEPARTMENT OF INSURANCE,)	FINDINGS OF FACT, CONCLUSIONS OF
)	LAW, RECOMMENDED ORDER AND
PETITIONER,)	ORDER
)	
VS.)	CAUSE NO. A-2316
)	
Quinan Chang,)	
(NAIC Producer #19412187))	
)	
)	
RESPONDENT.)	

This matter came up for hearing on March 28, 2023, before Michael W. Anderson, 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, Laurie Burgess. Quinan Chang (“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 address with the Department is 4030 Lotus Drive, Pearland, Texas 77584. (See Ex. 2, Attachment 1).
3. On December 1, 2022, the Nebraska Department of Insurance received a notice, dated November 30, 2022, from UnitedHealthcare Insurance Company indicating the employment of producer

Qiunan Chang had been terminated for cause, effective November 23, 2022. (See Exhibit 1, Attachment 1)

4. On December 7, 2022, Nebraska Department of Insurance Examiner John Marinovich sent a request for supporting documents to UnitedHealthcare Insurance Company requesting specific details on how they reached the decision for the termination of the Respondent. (See Exhibit 1, Attachment 2)

5. On December 8, 2022, United Healthcare Insurance Company provided Nebraska Department of Insurance Examiner John Marinovich with a copy of their investigation, alleging the Respondent forged signatures on insurance applications in six specific cases. (See Exhibit 1, Attachment 3)

6. Out of the six alleged forgeries, United Healthcare Insurance Company received two written attestations that the signatures on both the Scope of Appointment forms and Enrollment applications were not signatures of the enrollees, and one verbal attestation to the same effect. (See Exhibit 1, Attachment 3)

7. United Healthcare Insurance Company also discovered that the Respondent claimed to have received non-remote signatures on the same dates as the alleged forgeries as follows:

- a. Respondent claimed to have obtained non-remote signatures from enrollees on March 29, 2022, in Louisiana and Florida. (See Exhibit 1, Attachment 3)
- b. Respondent claimed to have obtained non-remote signatures from enrollees on April 30, 2022, in Florida, California, and Georgia. (See Exhibit 1, Attachment 3)
- c. Respondent claimed to have obtained non-remote signatures from enrollees on April 27, 2022, in Louisiana and Missouri. (See Exhibit 1, Attachment 3)
- d. Respondent claimed to have obtained non-remote signatures from enrollees on June 30, 2022 in Michigan, South Carolina, Oregon, Missouri, and California. (See Exhibit 1, Attachment 3)

8. When United Healthcare Insurance Company asked for written statements as to the allegations, Respondent either failed to respond to United Healthcare, or provided no useful information as to the specific allegations. (See Exhibit 1, Attachment 3)

9. Nebraska Department of Insurance Examiner John Marinovich sent several requests to the Respondent, requesting a response to the Nebraska Department of Insurance. The requests sent to the Respondent are as follows:

- a. Original inquiry was sent on December 8, 2022, by Nebraska Department of Insurance Examiner John Marinovich to the residence, business, and mailing address on file with the Department for the Respondent via the United States Postal Service First Class Mail. (See Exhibit 1, Attachment 4)
 - b. When no response was received by the Nebraska Department of Insurance to the initial inquiry, Insurance Examiner John Marinovich sent a follow-up inquiry to the Respondent to his residence, business, and mailing address registered with the Nebraska Department of Insurance. This inquiry was sent via USPS certified mail on December 30, 2022. (See Exhibit 1, Attachment 5)
 - c. On January 17, 2023, the certified letter mailed on December 30, 2022, was returned by the United States Post Office to the Nebraska Department of Insurance. The return indicates someone signed accepted the delivery of the certified letter, but the date of delivery is not indicated on the USPS return. (See Exhibit 1, Attachment 5)
10. The Respondent did not respond to any of the Department's contact attempts. (See Exhibit 1)

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), the Director may levy an administrative fine against an insurance producer's license if it is found that the producer has violated any insurance law.
4. Respondent violated Neb. Rev. Stat. § 44-4059(1)(h) and (j) as a result of the conduct found in paragraphs 1-8 in the Findings of Fact and as evidenced by the relevant exhibits received.

5. Respondent violated Neb. Rev. Stat. § 44-4059(1)(g) as a result of the conduct found in paragraphs 9-10 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 and regular U.S. mail to the Respondent's registered address. The Department also provided a Domestic Return Receipt for the notice filings, which, along with the tracking information also provided, confirm 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 engaged in behavior that is indicative of fraudulent and dishonest practices, and untrustworthiness in the conduct of insurance business. Further, Respondent failed to respond to the Department's written contact attempts.

These actions constitute violations of Neb. Rev. Stat. § 44-4059(1)(h), 44-4059(1)(j) 44-1525(10), and 44-1525(11).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident insurance producer's license be revoked. 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 30th day of March 2023.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Michael W. Anderson
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. Quinan Chang (NAIC Producer #19412187), Cause No. A-2316.

Dated this 30th day of March, 2022.

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 address, 4030 Lotus Drive, Pearland, Texas 77584, via certified mail, return receipt requested and via regular U.S. mail on this 30th day of March, 2023.


Sherry Storie