

MAR 15 2022

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	CONSENT ORDER
	)	
PETITIONER,	)	
	)	
VS.	)	
	)	
JAY STOLL	)	CAUSE NO. A-2288
(NAIC Producer #19566605),	)	
	)	
RESPONDENT.	)	

In order to resolve this matter, the Nebraska Department of Insurance (“Petitioner”), by and through its attorney, Michael W. Anderson, and Jay Stoll (“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. Jay Stoll (NAIC National Producer #19566605), Cause Number A-2288 on February 3, 2022. 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.

2. Respondent is alleged to have violated Neb. Rev. Stat. §§ 44-4059(1) (b), 44-4059 (1) (g), and 44-4059(1) (h) as well as CMS regulations 40.2, 50.3, and 100.4, as follows:

- a. On August 17, 2021, Petitioner's Office received a complaint regarding the Respondent and an allegation that he misled complainants about open enrollment and product benefits, and that he did not complete a scope of appointment ("SOA") form.
- b. On August 18, 2021, Respondent was asked to provide a response to the allegations.
- c. On August 20, 2021, Respondent provided a response, in which he states that he contacted the complainants by phone and does not mention completing a SOA form.
- d. On October 1, 2021, United Health Care's ("UHC") Compliance Investigations Unit ("CIU") provided a copy of an investigation report to Petitioner's Office, which substantiated the following allegations:
  - i. Respondent was unable to provide a completed SOA form for his meeting with the complainants.
  - ii. Respondent contacted complainants by phone directly.
  - iii. Respondent contacted complainants again by phone after he discovered that there had been a complaint filed against him.
- e. Throughout the investigation of this matter, Respondent provided several statements to Petitioner's Office. In those responses, the Respondent provided the following:

- i. Respondent confirmed that he contacted complainants by telephone without any prior contact.
- ii. Respondent claims to have completed a SOA form electronically.
  1. UHC did not have any record of such an SOA on file in their systems.
- iii. Respondent stated that he “shredded [the complainant’s] file” once he learned that the complainants were staying with their original plan, and that the SOA was included in this file.
- iv. Respondent confirmed that he contacted the complainants again by phone after he was aware that a complaint was filed against him, stating that “I then asked [complainant] why they filed a complaint against me, and [the complainant] hung up the phone. I tried calling back and the phone was picked up and hanged up right away. I tried a third time, and it went straight to voicemail”.

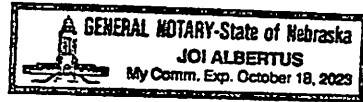
3. Respondent was informed of his right to a public hearing. Respondent waives that right and enters into this Consent Order freely and voluntarily. Respondent understands and acknowledges that by waiving his right to a public hearing, Respondent also waives his right to confrontation of witnesses, production of evidence, and judicial review.

#### CONCLUSIONS OF LAW

Respondent admits conduct as alleged above in Section 2, and admits that conduct constitutes violations of Neb. Rev. Stat. §§ 44-4059(1) (b), 44-4059 (1) (g), and 44-4059(1) (h), as well as CMS regulations 40.2, 50.3, and 100.4 and Respondent is subject to disciplinary action pursuant to Neb. Rev. Stat. §44-4059. Respondent agrees to resolve this matter as set forth below.



On this 11<sup>th</sup> day of March, 2022, Jay Stoll personally appeared before me and read this Consent Order, executed the same, and acknowledged the same to be his voluntary act and deed.



  
\_\_\_\_\_  
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. Jay Stoll (NAIC National Producer #19566605), Cause No. A-2288.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE



Eric Dunning  
Director of Insurance

3/15/22  
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 home address at 1111 Humphrey Avenue, Lincoln, Nebraska 68521 and 1633 Normandy Court, Suite A, Lincoln, Nebraska 68512, by certified mail, return receipt requested, by regular U.S. mail, and via email at [jstoll@americanseniorbenefits.com](mailto:jstoll@americanseniorbenefits.com), on this 15<sup>th</sup> day of March, 2022.

Shelly Stone