STATE OF TENNESSEE
BEFORE THE COMMISSIONER OF COMMERCE AND INSURANCE

IN THE MATTER OF:	)	
	)	
MAURA DENISE DOYLE	)	**TID Order No. 15-018**
	)	
	)	

CONSENT ORDER

The Insurance Division, of the Tennessee Department of Commerce and Insurance ("Division"), by and through counsel, and Maura Denise Doyle ("Doyle") hereby stipulate and agree, subject to the approval of the Commissioner of the Tennessee Department of Commerce and Insurance ("Commissioner"), as follows:

GENERAL STIPULATIONS

1. It is expressly understood that this Consent Order is subject to the Commissioner's acceptance and has no force and effect until such acceptance is evidenced by the entry of an order by the Commissioner.

2. This Consent Order is executed by Doyle for the purpose of avoiding further administrative action with respect to this cause. Furthermore, should this Consent Order not be accepted by the Commissioner, it is agreed that presentation to and consideration of this Consent Order by the Commissioner shall not unfairly or illegally prejudice the Commissioner from further participation or resolution of these proceedings.

3. Doyle fully understands that this Consent Order will in no way preclude additional proceedings by the Commissioner for acts and/or omissions not specifically addressed in this Consent Order or for facts and/or omissions that do not arise from the facts or transactions herein addressed.

4. Doyle fully understands that this Consent Order will in no way preclude proceedings by state government representatives, other than the Commissioner, for violations of Title 56 of the Tennessee Code Annotated addressed specifically in this Consent Order, against Doyle for violations of law under statutes, rules, or regulations of the State of Tennessee, which may arise out of the facts, acts, or omissions contained in the Findings of Fact and Conclusions of Law stated herein, or which arise as a result of the execution of this Consent Order by Doyle.

5. Doyle expressly waives all further procedural steps, and expressly waives rights to seek judicial review of or to otherwise challenge or contest the validity of this Consent Order, the stipulations and imposition of discipline contained herein, and the consideration and entry of said Consent Order by the Commissioner.

AUTHORITY AND JURISDICTION

6. The Commissioner has jurisdiction over this matter pursuant to the Tennessee Insurance Law ("Law"), Title 56 of the Tennessee Code Annotated ("Tenn. Code Ann."), specifically Tenn. Code Ann. §§ 56-1-101, 56-1-202, 56-2-305 and 56-6-112. The Law places on the Commissioner the responsibility of the administration of its provisions.

PARTIES

7. The Division is the lawful agent through which the Commissioner administers the Law and is authorized to bring this action for the protection of the public.

8. Doyle is a citizen and resident of the State of Tennessee. Doyle's address of record on file with the Division is 9743 Shadow Valley Circle, Chattanooga, Tennessee 37421. Doyle obtained her resident insurance producer license number 0926434, on or about March 24, 2005. Doyle's insurance producer license is set to expire on November 30, 2015.

FINDINGS OF FACT

9. On or about March 1, 2014, Stamatia Klaburner ("Klaburner") submitted a complaint with the Division and United Healthcare ("UHC") regarding Doyle and David Michael Yoder ("Yoder"), also a resident insurance producer. Klaburner alleged that either Doyle or Yoder forged Klaburner's signature and agent identification on five (5) insurance applications for UHC.

10. On May 14, 2012, an Assignment of Commissions form for UHC was signed with Klaburner's name as the assignor. The commissions were assigned to Health Insurance Now ("HIN"), which was owned by Yoder during this time.

11. The insurance applications for UHC were signed with Klaburner's name, starting in May 2012, until on or about July 2012.

12. Klaburner stated in an affidavit that she did not sign the insurance applications or the Assignment of Commissions form.

13. Klaburner did not receive any commissions from the policies resulting from the insurance applications with the forged signatures.

14. The commissions resulting from the insurance applications with the forged signatures were paid to HIN.

15. From May 2011 until December 2013, Doyle was working for HIN as an agent.

16. During an interview with two (2) Division investigators on August 19, 2014, Doyle admitted to signing Klaburner's name to the five (5) insurance applications.

17. On or about January 9, 2015, Agent Licensing, of the Tennessee Department of Commerce and Insurance, placed a block on Doyle's insurance producer license. Currently, the block remains in place.

CONCLUSIONS OF LAW

18. Tenn. Code Ann. § 56-6-112(a) provides that "[t]he commissioner may place on probation, suspend, revoke, or refuse to issue or renew a license issued under this part and/or may levy a civil penalty in accordance with this section or take any combination of those actions, for any one (1) or more of the following causes:

> ....
>
> (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere; [and,]
>
> ....
>
> (10) Forging another's name to an application for insurance or to any document related to an insurance transaction[.]
>
> ....

19. Based upon the Findings of Fact stated above and the Conclusions of Law contained herein, the Commissioner considers the actions of Doyle to be in violation of Tenn.

Code Ann. §§ 56-6-112(a)(8) and (10) for forging another insurance producer's signature on five (5) insurance applications. Such facts provide grounds for the imposition of a Five Thousand Dollar ($5,000) civil penalty for violation in accordance with Tenn. Code Ann. § 56-6-112 (g).

20. In order to avoid any further expenses or costs associated with litigating this matter in any administrative or judicial proceedings, Doyle hereby acknowledges the Commissioner's authority to administer the statutes cited herein, concedes that the Commissioner's interpretation of the statutes cited in the Conclusions of Law are reasonable and enforceable, and agrees to the entry of this Consent Order including each of the sanctions ordered by the Commissioner.

ORDER

NOW, THEREFORE, on the basis of the foregoing, and Doyle's waiver of the right to a hearing and appeal under the Law and the Uniform Administrative Procedures Act, Tenn. Code Ann. §§ 4-5-101 to 4-5-404 (2011), and Doyle's admission of jurisdiction of the Commissioner, the Commissioner finds that Doyle, for the purpose of settling this matter admits to the Conclusions of Law, agrees to the entry of this Order and agrees that this Order is in the public interest, necessary for the protection of consumers and consistent with the purposes fairly intended by the policy and provisions of the Law.

IT IS ORDERED, pursuant to Tenn. Code Ann. § 56-6-112(g), that Doyle:

1. Pay **CIVIL PENALTIES** in the amount of two thousand five hundred dollars ($2,500) within twenty-four (24) months of the final execution of this Order. Payments must include a copy of the first page of this Order, shall be payable to "State of Tennessee" and mailed to:

State of Tennessee
Department of Commerce and Insurance
Legal Office, Attn: Stephanie Crenshaw
Davy Crockett Tower
500 James Robertson Parkway
Nashville, Tennessee 37243

The first sixteen (16) payments shall be one hundred four dollars and seventeen cents ($104.17), with the first payment being made on or before September 15, 2015. Thereafter, each remaining payment shall be made on or before the fifteenth of every month. Beginning on January 15, 2017, the last eight (8) payments shall be one hundred four dollars and sixteen cents ($104.16) to be paid on the fifteenth of each month until the entire amount of two thousand five hundred dollars ($2,500) has been paid in full to the Division. The final payment shall be due on or before August 15, 2017.

The block currently placed on Doyle's insurance producer license shall be removed once this order has been accepted and entered by the Commissioner. However, if Doyle fails to pay the penalty amount by the due date on more than two (2) occasions, a block shall be placed on Doyle's insurance producer license until the payments are made current.

2. It is further **ORDERED** that Doyle shall **CEASE AND DESIST** from all such activities in violation of Tenn. Code Ann. § 56-6-112.

3. Additionally, it is **ORDERED** that all persons in any way assisting, aiding, or helping Doyle in any of the aforementioned violations of Tenn. Code Ann. § 56-6-112 shall **CEASE AND DESIST** from all such activities in violation of the Law.

IT IS ORDERED that this Consent Order represents the complete and final resolution of, and discharge with respect to all administrative and civil, claims, demands, actions and causes

of action by the Commissioner against Doyle for violations of Tenn. Code Ann. § 56-6-112 alleged by the Division to have occurred with respect to the transactions involving the facts contained herein.

This Consent Order is in the public interest and in the best interests of the parties, and represents a compromise and settlement of the controversy between the parties, and is for settlement purposes only. By the signatures affixed below, Doyle affirmatively states she has freely agreed to the entry of this Consent Order, that she waives the right to a hearing on the matters underlying this Consent Order and to a review of the Findings of Fact and Conclusions of Law contained herein, and that no threats or promises of any kind have been made to her by the Commissioner, the Division, or any agent or representative thereof. The parties, by signing this Consent Order, affirmatively state their agreement to be bound by the terms of this Consent Order and aver that no promises or offers relating to the circumstances described herein, other than the terms of the settlement as set forth in this Consent Order, are binding upon them.

ENTERED this 24th day of September, 2015.

Julie Mix McPeak, Commissioner
Department of Commerce and Insurance

APPROVED FOR ENTRY:

Maura D. Doyle
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Chattanooga, Tennessee 37421

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Assistant Commissioner for Insurance
Department of Commerce and Insurance

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