

NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA
COUNTY OF WAKE

BEFORE THE
COMMISSIONER OF INSURANCE

IN THE MATTER OF:

THE LICENSURE OF
ANNE JOHNSON
(NPN # 17001079)

Respondent.

ORDER AND
FINAL AGENCY DECISION

Docket Number: 2203

THIS MATTER came on for hearing on September 24, 2024, in the Hearing Room at the North Carolina Department of Insurance, located at 3200 Beachleaf Court, Raleigh NC 27604, before the undersigned Hearing Officer, as designated by the North Carolina Commissioner of Insurance pursuant to North Carolina General Statutes §§ 58-2-70, 58-2-162, 58-2-185, 58-33-32(k), 58-33-46, 150B-38, 150B-40 and 11 N.C.A.C. 1.0401 *et seq.* and other applicable statutes and regulations.

Petitioner, Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "Agent Services"), was represented by Assistant Attorney General Anne Goco Kirby. Anne Johnson (hereinafter, "Respondent") did not appear.

Petitioner's Exhibits 1- 14 were admitted into evidence.

Melody Hocutt, Complaint Analyst for the Department's Agent Services Division, appeared and testified for the Department.

Based upon the allegations set forth in the Notice of Hearing, the Petition for Administrative Hearing, Affidavit of Service, the testimony of Melody Hocutt, arguments, and documentary exhibits presented at the hearing, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The Department has the authority and responsibility for the enforcement of insurance laws of this State and for regulating and licensing insurance agents. At all relevant times herein, Respondent held a Nonresident Producer license with authority for Accident & Health or Sickness and Life lines of insurance. Respondent's National Producer License Number (NPN) is 17001079.

2. Effective May 30, 2023, the Louisiana Department of Insurance revoked Respondent's non-resident producer license for: (1) failing to report the denial of her Kansas non-resident insurance producer license within thirty days and submit required documentation in violation of La. R.S. 22:1563(A), and (C); (2) failing to provide requested documentation and information to the Louisiana Department of Insurance as required in violation of La. R.S. 22:1554(A)(14); and (3) having her non-resident producer application denied by the state of Kansas in violation of La. R.S. 22:1554(A)(14).

3. N.C. Gen. Stat. § 58-33-32(k) requires a producer to report to the Commissioner any administrative action taken against the producer in another state within 30 days after the final disposition of the matter. The report "shall include a copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the actions."

4. Respondent failed to report the administrative action taken by the Louisiana Department of Insurance to the Department within 30 days after final disposition of such administrative action.

5. Pursuant to N.C. Gen. Stat. §§ 58-2-185, 58-2-195(a), and 11 NCAC 6A.0402(d)(3), Agent Services e-mailed Respondent on July 1, 2023, requesting that she provide a written response along with any documentation regarding the Louisiana administrative action. Agent Services quoted the language of N.C. Gen. Stat. § 58-33-32(k) in her response request email. Respondent failed to provide any response to the Department's request.

6. Pursuant to N.C. Gen. Stat. §§ 58-2-185, 58-2-195(a), and 11 NCAC 6A.0402(d)(3), Agent Services e-mailed Respondent a follow up request for Respondent to provide a written response along with any documentation regarding the Louisiana administrative action on August 4, 2023. Agent Services again quoted the language of N.C. Gen. Stat. § 58-33-32(k) in her response request email. Respondent failed to provide any response to the Department's follow up e-mail request.

7. Respondent had previously failed to report the denial of her application for a Kansas producer license to Agent Services. Agent Services did not take disciplinary action against Respondent for that violation of N.C. Gen. Stat. § 58-33-32(k) but instead issued Respondent a written warning on February 16, 2023 which reminded Respondent of the reporting requirements.

8. By e-mail and first-class mail to Respondent dated August 18, 2023, Agent Services requested that Respondent participate in an informal conference by telephone. Respondent did not answer when Agent Services called her for the scheduled informal conference on September 25, 2023.

9. After attempting to reach Respondent by telephone for the conference on September 25, 2023, Agent Services emailed Respondent and informed her that they tried to call her for the scheduled informal conference, but she did not answer, and that Agent Services would proceed with an administrative hearing against her if she did not return Agent Services Division's call by the end of the day. Respondent did not call Agent Services Division back in response to its September 25, 2023 email.

CONCLUSIONS OF LAW

1. Respondent was properly served with the Notice of Hearing and the Department has personal and subject matter jurisdiction in this matter.

2. Respondent violated N.C. Gen. Stat. § 58-33-32(k) by failing to report the Louisiana administrative action to the Department.


3. Pursuant to N.C. Gen. Stat. § 58-33-46(a)(2), the Commissioner may place on probation, suspend, or revoke the license of a licensee who has violated any insurance law of this or any other state, violated any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violated any rule of FINRA.

4. Respondent's non-resident producer license should be suspended or revoked pursuant to N.C. Gen. Stat. § 58-33-46(a)(2) based upon her violation of N.C. Gen. Stat. § 58-33-32(k).

ORDER

Based on the foregoing Findings of Facts and Conclusions of Law, it is ordered that Respondent's non-resident producer's license issued by the North Carolina Department of Insurance is hereby REVOKED effective as of the date of the signing of this order.

This the 27th day of June, 2025



Kyle Heuser
Hearing Officer
N.C. Department of Insurance

APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N.C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N.C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11. NCAC 01.0413 and N.C. Gen. Stat. § 1 A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N.C. Gen. Stat. § 150B-46 describes the contents of the Petition, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: Amy Funderburk, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

CERTIFICATE OF SERVICE

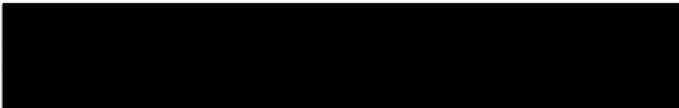
I HEREBY CERTIFY that I have this day served the foregoing **ORDER AND FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; and via first class U.S. mail to the licensee at the residential address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b) and (d); and via State Courier to Attorney for Petitioner, addressed as follows:

Anne Johnson
11660 NW 56th Drive Apt 112
Coral Springs, Florida 33076-3158
(Respondent)

Certified Mail Tracking #: 9589 0710 5270 0742 5907 98

Anne Goco Kirby
Assistant Attorney General
N.C. Department of Justice
Insurance Section
9001 Mail Service Center
Raleigh, NC 27699-9001
(Attorney for Petitioner)

This the 27th day of June, 2025.



Raheema I. Moore
Clerk of Court for Administrative Hearings
Paralegal III
N.C. Department of Insurance
General Counsel's Office
1201 Mail Service Center
Raleigh, NC 27699-1201