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** **AMY J. McBRIDE-FROBISH** **NPN: 8713900**	**VOLUNTARY SETTLEMENT** **AGREEMENT**

NOW COME, Amy J. McBride-Frobish (hereinafter "Ms. McBride-Frobish") and the N.C. Department of Insurance Agent Services Division (hereinafter "ASD"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement"); and

WHEREAS, the Department has the authority and responsibility for enforcement of the insurance laws of this State, and for regulating and licensing insurance agents and agencies; and

WHEREAS, Ms. McBride-Frobish currently holds a resident producer license with authority for the Property and Casualty lines of insurance issued by the Department. Ms. Frobish-McBride is employed by the Darden, Miranda and Associates Insurance Agency in Fayetteville, NC.

WHEREAS, the Agent Services Division conducted a review of the Vanstory-Exum Agency, Inc. dba Darden, Miranda and Associates on September 15, 16, 17 and 19, 2025 to verify that all agency employees were appropriately licensed, to analyze the agency files to verify proper underwriting. The review was occasioned by allegations made by Ms. Heather McLean, dba Above & Beyond Care, Inc. to the effect that the agency collected premium for a general liability policy in October 2023 but failed to issue the policy written by Ms. McBride-Frobish. Furthermore, Ms. McBride-Frobish issued a certificate of insurance in August 2025 stating that coverage existed; and

WHEREAS, N.C. Gen. Stat. § 58-3-149. Certificates of insurance provides:

(a) For the purposes of this section, the following definitions apply:

(1) Certificate of insurance. - A document prepared or issued exclusively by an insurance company or licensed producer that is used to verify or evidence the existence of property or casualty insurance coverage, including a document submitted or created electronically. Certificate of insurance shall not include a document prepared or issued by an insurance company or producer that is used to verify or evidence the existence of property insurance provided to a lender covering real or personal property which serves as the lender's security for commercial mortgages.

(2) Commercial mortgages. - Mortgages or other instruments given for the purpose of creating a lien encumbering office, multiunit residential, apartments, commercial, or industrial properties. Commercial mortgages shall not include a lien encumbering one- to four-family residential properties.

(b) A certificate of insurance is not a policy of insurance and does not amend, extend, or alter the coverage afforded by the policy to which the certificate of insurance makes reference. A certificate of insurance shall not confer to a certificate of insurance holder new or additional rights beyond what the referenced policy of insurance expressly provides.

(c) It is unlawful for any person to knowingly prepare, issue, request, or require a certificate of insurance that meets any of the following criteria:

(1) Has not been filed with and approved by the Commissioner.

(2) Contains any false or misleading information concerning the policy of insurance to which the certificate of insurance makes reference.

(3) Purports to alter, amend, or extend the coverage provided by the policy of insurance to which the certificate of insurance makes reference.

(4) Includes information not contained in the underlying insurance policy.

WHEREAS, N.C. Gen. Stat. § § 58-33-105. False statements in applications for insurance provides. If any insurance producer, examining physician, applicant, or other person shall knowingly or willfully make any false or fraudulent statement or representation in or with reference to any application for insurance, or shall make any such statement for the purpose of obtaining any fee, commission, money or benefit from any company engaged in the business of insurance in this State, he shall be guilty of a Class 1 misdemeanor. This section shall also apply to contracts and certificates issued under Articles 65 through 67 of this Chapter.

WHEREAS, N.C. Gen. Stat. § § 58-33-46. Suspension, probation, revocation, or nonrenewal of licenses provides:

(a) The Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under this Article, in accordance with the provisions of Article 3A of Chapter 150B of the General Statutes, for any one 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.

WHEREAS, Ms. McBride-Frobish issued a Certificate of Insurance (COI) to Above and Beyond, Inc. with incorrect policy information. The COI issued on August 05, 2025 listed a general liability and professional liability policy with the effective dates of June 11 2024 and June 11 2025. The policy was non-renewed on October 15, 2023 and no policy was in effect for the period June 11 2024 to June 11, 2025. The COI also listed a Workers Compensation (WC) policy that was cancelled on August 21, 2023. However, the COI indicated the policy's effective dates of June 12, 2023 to June 12, 2024. Agent McBride-Frobish incorrectly listed the NC Rate Bureau (NCRB) as the carrier for the WC policy and Huntersure as the carrier for the general liability policy. The NCRB and Huntersure are not insurance companies.

It appears that Ms. McBride-Frobish was aware or should have been aware that the general liability and professional liability policies were cancelled when she issued the COI. She said she was unaware that the WC policy had been cancelled in August of 2023. However, it appears that cancellation notices were sent to the agency and the insured. The agency submitted a premium finance agreement for the general liability /professional liability policy and the insured made monthly payments when no policy was in effect.

The investigators reviewed twelve (12) additional COIs and observed that five (5) with errors were issued by Ms. McBride-Frobish

WHEREAS, Ms. McBride-Frobish, by her actions appears to be in violation of the provisions of **N.C. Gen. Stat. §§ 58-33-105 and 58-33-46 (a) (8)**; and

WHEREAS, N. C. Gen. Stat. § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to issue or renew any license issued under Article 58 of the General Statutes of North Carolina for violating any insurance law of this or any other state, violating any administrative rule, subpoena, or order of the Commissioner or of another state's regulator; and

WHEREAS, N. C. Gen. Stat. § 58-2-70 provides that whenever the Commissioner has reason to believe that any person has violated any law that would subject the license or certification of that person to suspension or revocation, the Commissioner is authorized, in lieu of a hearing, to negotiate a mutually acceptable agreement as to the status of the person's license or certificate or to any civil penalty or restitution; and

WHEREAS, Ms. McBride-Frobish has agreed to settle, compromise, and resolve the matters referenced in this Agreement and the Agent Services Division has agreed not to pursue additional civil ramifications, including penalties, sanctions, remedies, or restitution based on these matters against Ss' McBride-Frobish; and

NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, Ms. McBride-Frobish and the Department hereby agree to the following:

1. Immediately upon the signing of this Agreement, Ms. McBride-Frobish shall pay a civil penalty of **$1,500.00** to the Department. The form of payment shall be by certified check, cashier's check, or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." Ms. McBride-Frobish shall remit the civil penalty by certified mail, return receipt requested, to the Agent Services Division along with a copy of this signed Agreement. The civil penalty and the signed Agreement must be received by the Department no later than **March 09, 2026**. The civil penalty shall be subject to disbursement in accordance with the provisions of Article IX, Section 7 of the North Carolina Constitution for the benefit of public schools.

2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of Ms. McBride-Frobish or in any complaints involving Ms. McBride-Frobish.

3. Ms. McBride-Frobish enters into this Agreement freely and voluntarily and with the knowledge of her right to have an administrative hearing on this matter and may consult with an attorney prior to entering into this Agreement.

4. The parties to this Agreement agree that this Agreement shall have the full force and effect of an Order of the Commissioner. Ms. McBride-Frobish understands that N.C.G.S. § 58-33-46(a)(2) provides that a producer's license may be revoked for violating an Order of the Commissioner.

5. This Agreement, when finalized, will be a public record and will **not** be held confidential by the Department. Following the execution of this Agreement, all licenses issued by the Department to Ms. McBride-Frobish shall reflect that Regulatory Action has been taken against her. The Department is free to disclose the contents of this Agreement with third parties upon request or pursuant to any law or policy providing for disclosure.

6. The parties have read and understand this Agreement and agree to abide by the terms and conditions stated herein.

7. Be aware that if a state or federal regulator other than the N. C. Department of Insurance has issued an occupational or professional license to your business entity, that regulator may require you to report this administrative action to it. The N.C. Department of Insurance cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

Ms. Amy J. McBride-Frobish
NPN: 8713900

[redacted]

By:

Date: 3/3/26

N.C. Department of Insurance
Agent Services Division

[redacted]

By:
Deputy Commissioner

Date: 3/9/2026