



**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
MUTUAL MED INSURANCE
SERVICES SOUTHEAST, LLC
LICENSE NO. 1000715682
NPN: 19567194**

**VOLUNTARY SETTLEMENT
AGREEMENT**

NOW COME, MUTUAL MED INSURANCE SERVICES SOUTHEAST, LLC (hereinafter "MUTUAL MED SOUTHEAST") and the Agent Services Division of the N.C. Department of Insurance (hereinafter "Agent Services Division"), and hereby voluntarily and knowingly enter into the following Voluntary Settlement Agreement (hereinafter "this Agreement").

WHEREAS, the Agent Services Division has the authority and responsibility for enforcement of the insurance laws of this State, and for regulating and licensing insurance agents and business entities that sell, solicit or negotiate insurance contracts; and

WHEREAS, MUTUAL MED SOUTHEAST currently holds a non-resident Business Entity License with the Department; and

WHEREAS, North Carolina General Statute § 58-33-31(b)(2) requires business entities to designate a licensed producer (DRLP), who is a natural person, responsible for the business entity's compliance with the insurance laws and administrative rules of this State and orders of the Commissioner; and

WHEREAS, North Carolina General Statute § 58-33-32(k) requires producers to report to the Commissioner any administrative action taken against the producer in another state or by another governmental agency in this State, including enforcement actions taken against the producer by the Financial Industry Regulatory Authority (FINRA), within 30 days after the final disposition of the matter; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (1) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the General Statutes of North Carolina for providing materially incorrect, misleading, incomplete, or materially untrue information in the license application; and

WHEREAS, N. C. Gen. Stat. § 58-33-46 (a) (3) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 of the

General Statutes of North Carolina for obtaining or attempting to obtain a license through misrepresentation or fraud; and

WHEREAS, MUTUAL MED SOUTHEAST was fined by the Florida Department of Financial Services, effective August 20, 2021, in the amount of \$2500.00 in an administrative procedure for misstatements made on its application for licensure; and

WHEREAS, MUTUAL MED SOUTHEAST, on its February 01, 2022 North Carolina license renewal application, failed to disclose the Florida administrative action as required thereon, MUTUAL MED SOUTHEAST was in violation of the provisions of N. C. Gen. Stat. § 58-33-46 (a) (1) and (3); and

WHEREAS, North Carolina General Statute § 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, MUTUAL MED SOUTHEAST has agreed to settle, compromise, and resolve the matter referenced in this Agreement on behalf of itself, and the Agent Services Division has agreed not to pursue additional penalties, sanctions, remedies, or restitution based on these matters against MUTUAL MED SOUTHEAST; and

WHEREAS, the parties to this Agreement mutually wish to resolve this matter by consent before the Agent Services Division initiates an administrative hearing and have reached a mutually agreeable resolution of this matter as set out in this Agreement.

NOW, THEREFORE, in exchange for the consideration and promises and agreements set out herein, MUTUAL MED SOUTHEAST and the Agent Services Division hereby agree to the following:

1. Immediately upon the signing of this Agreement, MUTUAL MED SOUTHEAST shall pay a civil penalty of **\$250.00** to the Department. The form of payment shall be by certified check, cashier's check, or money order. The check or money order for the payment of this civil penalty shall be payable to the "North Carolina Department of Insurance." MUTUAL MED SOUTHEAST 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 Agent Services Division no later than **February 13, 2023**.
2. This Agreement does not in any way affect the Agent Services Division's disciplinary power in any future examination of MUTUAL MED SOUTHEAST or in any other complaints involving MUTUAL MED SOUTHEAST.
3. MUTUAL MED SOUTHEAST enters into this Agreement, on behalf of itself, freely and voluntarily and with the knowledge of its right to have an administrative hearing on this matter. MUTUAL MED SOUTHEAST understands it 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. MUTUAL MED SOUTHEAST understands that N.C.G.S. § 58-33-

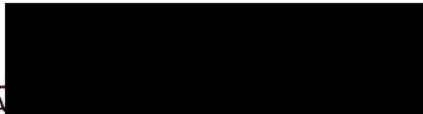
46(a)(2) provides that a producer's license may be revoked for violating an Order of the Commissioner.

5. This Agreement, when finalized, will be a public record and will not be held confidential by the Agent Services Division. Following the execution of this Agreement, all licenses issued by the Agent Services Division to MUTUAL MED SOUTHEAST shall reflect that Regulatory Action has been taken against it. The Agent Services Division is free to disclose the contents of this Agreement with third parties upon request or pursuant to any law or policy providing for such disclosure. The Agent Services Division, upon request, will provide a copy of a voluntary settlement agreement to any company that has appointed the licensee.
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 Agent Services Division has issued an occupational or professional license to your business entity, that regulator may require you to report this administrative action to it. The Agent Services Division cannot give you legal advice as to the specific reporting requirements of other state or federal regulators.

**MUTUAL MED INSURANCE
SERVICES SOUTHEAST, LLC
LICENSE NO. 1000715682
NPN: 19567194**

**NC. Department of Insurance
Agent Services Division**


By: Robert D. Edel
Chief Operating Officer & DRLP


By: Angela Hatchell
Deputy Commissioner

Date: 1/11/23

Date: 1/19/2023