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
SHELBY ROGERS
(NPN 18199914)

Respondent.

ORDER AND
FINAL AGENCY DECISION

Docket Number: 2368

THIS MATTER came on for hearing and was heard on May 20, 2026 by the undersigned Hearing Officer, as designated by the North Carolina Commissioner of Insurance ("Commissioner") pursuant to N.C. Gen. Stat. § 58-2-55 and other applicable statutes and regulations. The administrative hearing was held in the North Carolina Department of Insurance's Hearing Room, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, the Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "Agent Services") was present and represented by Assistant Attorney General, Kristin K. Mullins. Respondent, Shelby Rogers ("Respondent") did not appear and was not represented by counsel at the hearing.

Jeffrey Miller, Complaint Analyst with Agent Services, appeared and testified on behalf of the Petitioner.

Petitioner's Exhibits 1 through 14 were admitted into evidence with redactions of personally identifiable information.

The Petition for Administrative Hearing alleged that Respondent violated N.C. Gen Stat. §§ 58-33-32(k) and 58-33-46(a)(2) for failure to report another state's administrative action.

BASED UPON careful consideration of the documentary and testimonial evidence presented at the hearing, and upon the entire record in the proceeding, the undersigned Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The North Carolina Department of Insurance ("NCDOI") is a state agency responsible for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers, in accordance with Chapter 58 of the North Carolina General Statutes. Agent Services is a division of the NCDOI.

2. On March 30, 2026, the Notice of Administrative Hearing ("Notice") and Petition for Administrative Hearing ("Petition") were deposited in the United States Postal Service via first-class mail and via certified mail, return receipt requested. Service was directed to Respondent's residential address of record in accordance with N.C. Gen. Stat. §§ 58-2-69(b), (d), and (e), 150B-38(c), and Rule 4 of the North Carolina Rules of Civil Procedure. *See* Pet'r's Exs. 1 and 2.

3. On April 7, 2026, the USPS tracking records confirm the certified mail was delivered to the front desk, reception area, or mail room at Respondent's residential address of record. *See* Pet'r's Ex. 2. However, the return receipt (green card) was returned unsigned, and the USPS records contain no electronic signature. *Id*. The first-class mail was not returned. *Id*.

4. Respondent holds an active nonresident North Carolina insurance producer license, National Producer Number 18199914, with lines of authority in Accident and Health or Sickness and Life ("License"). Respondent's License was first active in North Carolina on September 20, 2022. Respondent is a resident of Mississippi. *See* Pet'r's Exs. 3 and 4.

5. On April 21, 2025, Agent Services became aware, via a Personalized Information Capture System alert ("PIC alert"), which is generated from an automatic notification system through the National Association of Insurance Commissioners ("NAIC"), that Respondent received an administrative action in Mississippi. *See* Pet'r's Exs. 5 and 8.

6. Jeffrey Miller ("Mr. Miller") is a Complaint Analyst with Agent Services, and his job responsibilities include handling licensure investigations of North Carolina insurance producers.

7. Mr. Miller was assigned the PIC alert pertaining to the administrative action against Respondent that the Mississippi Department of Insurance ("Mississippi") entered into NAIC on April 1, 2025. *See* Pet'r's Exs. 5 and 8.

8. Agent Services obtained a copy of the Consent to Administrative Penalty issued by Mississippi. *See* Pet'r's Ex. 7. On March 24, 2025, Mississippi approved a Consent to Administrative Penalty whereby Respondent was required to pay an

administrative penalty of $500.00 due to her alleged noncompliance with Miss. Code § 83-17-71, in lieu of proceeding to a hearing ("Mississippi administrative action"). *Id.*

9. Respondent failed to report the Mississippi administrative action to the NCDOI within 30 days of its final disposition, as required by law. Specifically, Respondent did not submit a copy of the Mississippi administrative action via the National Insurance Producer Registry ("NIPR") Attachment Warehouse, or directly to the NCDOI by email, by mail, or by fax within the required statutory timeframe.

10. On April 22, 2025, Agent Services sent an email to Respondent's email addresses of record regarding the unreported Mississippi administrative action, advising Respondent to report the action by April 24, 2025 to comply with the 30-day reporting requirement under N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Ex. 9. Respondent was instructed to provide a written response, along with any documentation regarding these matters, within 10 days. *Id.* Respondent failed to provide any response to this correspondence.

11. On May 2, 2025, Agent Services sent a follow-up email to Respondent after Respondent failed to respond to the April 22, 2025 email or provide the requested documentation. *See* Pet'r's Ex. 10. The email informed Respondent that unless a response was provided within 10 days, Respondent would be deemed in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195 and that administrative proceedings could be initiated against Respondent's License. *Id.* Respondent failed to provide any response to this correspondence.

12. On May 23, 2025, Agent Services sent correspondence via first-class mail to Respondent's residential address of record and emailed a copy to Respondent's email addresses of record. *See* Pet'r's Ex. 11. The correspondence requested that Respondent attend an informal conference to discuss Respondent's failure to report the Mississippi administrative action and the alleged violations of N.C. Gen. Stat. §§ 58-33-32(k) and 58-33-46(a)(2). *Id.* The informal conference was scheduled for Respondent on June 26, 2025 at 10:00 a.m. eastern time via the telephone. *Id.* Respondent failed to provide any response to this correspondence.

13. Respondent did not attend the scheduled informal telephonic conference on June 26, 2025, at 10:00 a.m. *See* Pet'r's Ex. 8. Agent Services called Respondent at the appointed time and left a voicemail message, but Respondent did not return the call. *Id.*

14. On July 1, 2025, Agent Services sent correspondence via first-class mail to Respondent's residential address of record and emailed a copy to Respondent's email addresses of record. *See* Pet'r's Ex. 12. The correspondence advised Respondent that due to Respondent's failure to respond to the NCDOI's repeated attempts to resolve the matter and failure to appear at the informal conference, formal

proceedings would be instituted under Article 3A of Chapter 150B, and an administrative hearing would be scheduled in Raleigh, N.C., at a date and time to be determined. *Id.* Respondent did respond to this correspondence.

15. Later on July 1, 2025, Respondent replied to Agent Services' email, stating that Respondent had not lived at the address listed on the correspondence in four years and had not written insurance business in North Carolina. *See* Pet'r's Ex. 13. Respondent further stated that Respondent was unaware of the nature of the matter, believed the North Carolina license had expired, was currently located in Mississippi, and was only writing insurance business in Mississippi. *Id.*

16. On July 2, 2025, Agent Services replied to Respondent's email, informing Respondent that the North Carolina license remains active as long as the home state license remains active. *See* Pet'r's Ex. 13. Agent Services further requested that Respondent provide a copy of the Mississippi administrative action pertaining to the monetary penalty. *Id.*

17. On July 15, 2025, in response to Agent Services' July 2, 2025 email, Respondent emailed a copy of the Mississippi administrative action to Agent Services. This submission was beyond the required statutory timeframe. *See* Pet'r's Exs. 8 and 13.

18. On July 15, 2025, Agent Services sent an email to Respondent regarding the matter. *See* Pet'r's Ex. 14. Following the July 15, 2025 email, Agent Services contacted Respondent to discuss potential settlement offers; however, Respondent failed to respond. *See* Pet'r's Ex. 8.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. Respondent was properly served with the Notice and Petition in this matter pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and (e). Service of the Notice and Petition to Respondent's residential address was deemed complete on or about April 3, 2026. *See* Pet'r's Ex. 2.

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

4. Respondent's eventual reporting of the Mississippi administrative action directly to the NCDOI on July 15, 2025, occurred beyond the 30-day statutory timeframe. Accordingly, Respondent's failure to timely report the Mississippi administrative action constitutes a violation of N.C. Gen. Stat. § 58-33-32(k).

5. N.C. Gen. Stat. § 58-33-46(a)(2) provides that the Commissioner may place on probation, suspend, revoke, or refuse to renew any license issued under Article 33 of Chapter 58 if a person violates an insurance law of this state or any other state, violates any administrative rule, subpoena, or order of the Commissioner of another state's insurance regulator, or violates any rule of FINRA.

6. Respondent's violation of N.C. Gen. Stat. § 58-33-32(k) for failing to timely report the Mississippi administrative action constitutes a ground for disciplinary action against Respondent's nonresident insurance producer license pursuant to N.C. Gen. Stat. § 58-33-46(a)(2).

7. N.C. Gen. Stat. § 58-2-70(c) provides that if, under subsection (b) of this section, the Commissioner finds a violation of this Chapter, the Commissioner may, in addition to or instead of suspending or revoking the license, order the payment of a monetary penalty as provided in subsection (d) of this section. Respondent's failure to timely report and provide a copy of the Mississippi administrative action within 30 days of the action's final disposition subjects Respondent's nonresident insurance producer license to suspension or revocation in accordance with N.C. Gen. Stat. § 58-2-70(b).

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the undersigned Hearing Officer enters the following:

ORDER

It is ORDERED that Respondent's nonresident insurance producer license issued by the North Carolina Department of Insurance is hereby **REVOKED**.

This Order is effective three (3) days from the date of mailing this Order. The "date of mailing" is the date indicated on the Certificate of Service attached to this Order.

This 1st day of September, 2026.

[redacted]

Shannon Wharry
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 1.0413 and N.C.G.S. § 1A-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 and requires service of the Petition on all parties. 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; via first class U.S. Mail to Respondent at the address the licensee provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b), (d) and (e); via courtesy e-mail to Respondent and via State Courier and courtesy e-mail to Attorney for Petitioner, addressed as follows:

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(Respondent)

Certified Mail Tracking Number: 9589 0710 5270 1723 5223 40

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(Attorney for Petitioner)

This the 1st day of September, 2026.

[redacted]

Raheema I. Moore
Clerk of Court for Administrative Hearings
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