

**STATE OF NEW HAMPSHIRE  
INSURANCE DEPARTMENT**

**In Re: William O'Brien**

**Docket No.: Ins. No. 09-028-EP**

**ORDER TO SHOW CAUSE AND  
NOTICE OF HEARING**

Pursuant to New Hampshire RSA 400-A:17, William O'Brien ("Respondent") is hereby notified that a hearing will be conducted on June 24, 2009 at 9:00 a.m. at the offices of the New Hampshire Insurance Department, 21 South Fruit Street, Suite #14, Concord, New Hampshire. This hearing is scheduled for purpose of giving the Respondent the opportunity to show cause why the Respondent should not be administratively sanctioned for practicing as an insurance producer in New Hampshire without a license. In support of this Order to Show Cause, the NHID states as follows:

1. The Respondent is the Massachusetts Regional Sales Director of New England Custom Health Plan Administrators, LLC ("NECPHA").
2. NECPHA's parent company is Health Management Advisors, LLC, which does business as HMA Direct. Including NECHPA, HMA Direct owns and operates four companies: (1) NECHPA; (2) HMA MGU, LLC; (3) HMA Administrators, LLC; and (4) HMA Captive Insurance Company. These four companies act together to provide full-service employee benefits consulting.<sup>1</sup>

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<sup>1</sup> The purpose of, and relationship among, the four HMA Direct companies is more fully explained in the NHID's Order to Show Cause against Health Management Advisors, LLC and HM Life Insurance Company, Docket No. INS No. 09-026-EP.

3. NECHPA has been a licensed producer in the State of New Hampshire since May 3, 2007.

4. However, although NECHPA is a licensed New Hampshire producer, the Respondent has never held a New Hampshire producer's license.

5. Notwithstanding the fact that he has never been a licensed New Hampshire producer, since May 3, 2007 the Respondent has violated New Hampshire's insurance laws by selling, soliciting or negotiating insurance in this State. More specifically, the Respondent has violated RSA 402-J:3, I, which provides:

A person shall not sell, solicit, or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with this chapter.

6. As a consequence of violating RSA 402-J:3 and pursuant to RSA 402-J:12, I (b), the Respondent shall be: (1) forever refused issuance of an insurance producer's license in New Hampshire; and (2) required to pay the maximum administrative fine allowed by law.

7. The Commissioner of Insurance or his representative shall act as Hearing Officer at the hearing on June 24, 2009. The Respondent has the right to be represented by counsel at his expense. Should the Respondent elect to obtain counsel, Respondent's counsel shall file a notice of appearance with the Commissioner at the earliest possible date.

8. Pursuant to Ins 203.06, Richard P. McCaffrey shall appear as staff advocate, representing the interests of the NHID, and pursuant to Ins 204.12, Leslie Ludtke shall serve as advisor to the NHID.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 14 April 2009

  
By: Roger Sevigny, Commissioner