

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

**In Re: Jessica Holman-Clinton
Docket No.: Ins. No. 23-031-EP**

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Jessica Holman-Clinton (“Respondent”), the terms of which are as follows:

FINDINGS OF FACT

1. Respondent is a Florida domiciled insurance producer who holds a non-resident insurance producer license in New Hampshire. She is licensed in the following lines of authority: Accident and Health or Sickness and Life.
2. On or about November 13, 2022, Respondent sold a health insurance plan to NH couple JB and DB; that couple later filed a complaint with the NHID asserting that they had not sought to enroll in a policy and were instead only seeking information about potential policies.
3. On August 3, 2023, the NHID requested pursuant to NH RSA 400-A:16 that Respondent provide additional information about the sale to JB and DB; Respondent did not respond to that request.
4. On August 25, 2023, the NHID requested pursuant to NH RSA 400-A:16 that Respondent provide additional information about the sale to JB and DB; Respondent did not respond to that request.

5. On September 15, 2023, the NHID issued an Order to Show Cause and Notice of Hearing against Respondent, noting the sale to JB and DB and her failure to respond to the requests in August.
6. Respondent had been under the impression that the requested information had been provided to the NHID, when in fact it had not.
7. On October 11, 2023, the NHID filed a motion to permit a witness to testify remotely.
8. On October 11, 2023, Respondent finally responded to the NHID's requests and the next day provided additional information relating to the aforementioned sale.
9. After receiving that information, the NHID chose not to take any disciplinary action against Respondent related to that sale.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:

- a. Respondent is subject to the jurisdiction of the NHID; and
- b. Respondent violated NH RSA 400-A:16 on two occasions by failing to respond to the NHID's requests within 10 working days.

ORDER

WHEREFORE, the NHID orders and Respondent consents to the following:

- a. The Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and

effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.

- b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to the following:
 - i. An administrative penalty of \$2,500, with \$2,000 of that suspended for a period of three years. The \$500 of imposed penalty is due upon execution of the consent order and should be made payable to "Treasurer, State of New Hampshire", and should be mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301. The remaining suspended \$2,000 only becomes due should the New Hampshire Insurance Department find that Respondent violated an Insurance Law or Rule within 3-years of the execution of this Order.
- c. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III or any other applicable law, including immediate imposition of the suspended \$2,000 penalty.
- d. By entering into this Consent Order, the NHID and the Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have

been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

- e. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.
- f. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. The Respondent must, in the future, answer "YES" to any question which asks "have you ever been named or involved as party in an administrative proceeding" or any substantially similar question.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 11/20/23


David J. Bettencourt, Commissioner

Date: 11/17/2023


Jessica Holman-Clinton, Respondent