

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

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NH INSURANCE DEPARTMENT

APR 26 2021

**In Re: Lindseigh Picard
Docket No.: Ins. No. 21-022-EP**

CONSENT ORDER

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

FINDINGS OF FACT

1. Respondent is a resident New Hampshire insurance adjuster with a mailing address of 96 Richmond Road, Winchester, NH 03470, and an email address of lindseigh.picard@esis.com. She has been licensed with the NHID since 2004.
2. On October 1, 2019 Respondent’s adjuster license expired.
3. Respondent’s employer, ESIS, has in place a system with a third-party vendor to manage the renewal of its employees’ licenses. Due to an oversight by ESIS, Respondent’s license was not renewed at the time of its expiration in 2019.
4. Respondent did not renew her adjuster license until March 4, 2021, the day after it was brought to her attention that her license had expired in October 2019.
5. Respondent continued to adjust claims for ESIS while she was unlicensed, from October 1, 2019 through March 3, 2021. During that time, Respondent adjusted 756 claims across New England, including 65 New Hampshire claims.
6. During her employment, including the time in which she was unlicensed, Respondent was continuously under the routine supervision of her managers, who are licensed to adjust New Hampshire claims.

7. During the time in which she was unlicensed, Respondent continued to take part in continuing education as well as additional education offered by ESIS.

CONCLUSIONS OF LAW

8. Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:
 - a. The Respondent is subject to the jurisdiction of the NHID; and
 - b. NH RSA 402-B:13 provides that “any person who shall act within this state as an insurance claims adjuster without being licensed” shall be “subject to suspension or revocation of his license and a fine not to exceed \$2,500 for each violation”; and
 - c. The Respondent violated NH RSA 402-B:13 by adjusting claims during the period in which her license was expired, from October 1, 2019 to March 3, 2021.

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 a \$2,500 administrative penalty, **to be paid by her employer, ESIS.**

- c. The \$2,500 administrative penalty is due upon execution of this consent order, to be made payable to "Treasurer, State of New Hampshire", and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301.
- d. 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.
- e. 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.
- f. 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.
- g. 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: 4/25/2021

Chris Nicolopoulos
Christopher Nicolopoulos, Commissioner

Date: 4/19/2021

Lindseigh Picard
Lindseigh Picard, Respondent