

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN)
MULREADY, Insurance Commissioner,)
)
Petitioner,)
v.)
)
AMANDA MARRIE MILLER,)
a resident producer,)
)
Respondent.)

FILED
FEB 23 2023
INSURANCE COMMISSIONER
OKLAHOMA
Case No. 22-0338-DIS

AGREED ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Antuanya "Bo" DeBose, and Respondent Amanda Marrie Miller ("Respondent"), and agree to entry of this Order.

JURISDICTION

The parties stipulate to the following:

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7401, including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq..
2. Respondent Amanda Marrie Miller ("Respondent") holding license number 40089437, is licensed by the State of Oklahoma as a resident insurance producer as defined and required by 36 O.S. § 1435.2(7). Her address of record is [REDACTED]
[REDACTED]

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to *36 O.S. § 1435.13(A) and (D)*.
4. The Insurance Commissioner, pursuant to *36 O.S. § 319*, has appointed an independent hearing examiner who shall sit as a quasi-judicial officer.
5. Informal disposition of this matter may be made by agreed settlement pursuant to *75 O.S. §309(E)*.

STIPULATIONS OF FACT

6. On or about November 23, 2021, Respondent was employed by Inspire Benefit Consultants, LLC (“Inspire”), an insurance brokerage in Tulsa, Oklahoma. Meghann High is the president of Inspire.
7. ThrivePEO is a third-party firm which provides human resource services to Rise Armaments (“Rise”). ThrivePEO contracts with Inspire for employee insurance coverage. While employed at Inspire, Respondent enrolled three (3) Rise employees in medical coverage without notifying ThrivePEO. As a result, ThrivePEO did not withhold premium payments from the three (3) Rise employees’ wages.
8. On or about November 23, 2021, ThrivePEO contacted Meghann High and Respondent via email, requesting copies of the enrollments for the three (3) employees of Rise. Respondent sent two (2) emails to the ThrivePEO vice president, containing email threads which indicated enrollment forms for the three (3) employees were attached. Respondent sent the emails as confirmation she notified ThrivePEO of the enrollments.
9. ThrivePEO noticed anomalies in the “To” line of Respondent’s emails and believed the emails to be fictitious. ThrivePEO uses a server that retains all emails, even if they are deleted from an individual’s mailbox. ThrivePEO was unable to locate the emails “sent”

by Respondent. Meghann High requested Respondent take a screenshot of her "Sent" email folder, showing that the emails were actually sent on the dates indicated. Respondent failed to submit the requested screenshots.

10. After continually denying the allegations, Respondent admitted to the president of Inspire, Meghann High, that the two (2) emails she sent to Thrive PEO on November 23, 2021 were fictitious. Respondent produced the fictitious emails to ThrivePEO in order to conceal the fact that she failed to timely notify ThrivePEO of the three (3) employee enrollments.

11. Rise resolved the premium issue by voluntarily paying \$22,143.75 in missing premium on behalf of the three (3) Rise employees.

12. On November 29, 2021, Respondent was terminated by Inspire for gross misconduct.

13. Pursuant to the provisions of *36 O.S. §1435.13*, the Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

14. Pursuant to *36 O.S. §1435.13(D)*, in addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subject to a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence. Said penalty may be enforced in the same manner in which civil judgments may be enforced.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. §1435.13(A)(8), demonstrating untrustworthiness by providing fictitious emails to ThrivePEO in order to conceal the fact she enrolled three (3) employees in medical coverage without timely notifying ThrivePEO.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **AGREED** by Respondent Amanda Marrie Miller that she is hereby **CENSURED** and **FINED** in the amount of **Two Thousand Dollars** (\$2,000.00). The fine shall be paid within ninety (90) days from the date of this Agreed Order and made payable to the Oklahoma Insurance Department, located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

WITNESS My Hand and Official Seal this 22 day of ^{February}~~January~~ 2023.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Stephan Mathis
Stephan Mathis
Hearing Examiner

AGREED TO:

Antuanya "Bo" DeBose
Antuanya "Bo" DeBose
ASSISTANT GENERAL COUNSEL

Amanda Marrie Miller
Amanda Marrie Miller
RESPONDENT

CERTIFICATE OF MAILING

I, Antuanya "Bo" DeBose, hereby certify that a true and correct copy of the above and foregoing Agreed Order was mailed by first class U.S. Mail and by certified mail with postage prepaid and return receipt requested on this 23rd day of February 2023 to:

Amanda Marrie Miller



CERTIFIED MAIL NO:
7022 2410 0003 2697 6469

and that a copy was delivered to:

Licensing and Anti-Fraud Division

A handwritten signature in blue ink that reads "Antuanya 'Bo' DeBose".

Antuanya "Bo" DeBose