

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED

JAN 22 2025

**STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,**

Petitioner,

v.

**HALEY ANN SMITH,
a licensed Insurance Producer,**

Respondent.

**INSURANCE COMMISSIONER
OKLAHOMA**

Case No. 24-0399-DIS

DISMISSAL WITHOUT PREJUDICE

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,
by and through counsel, Tyler P. Trammell, and alleges and states as follows:

JURISDICTION

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.* and the Oklahoma Producer Licensing Act, 36. O.S. §§ 1435.1-1435.41.

2. Haley Ann Smith (hereinafter “Respondent”) is a non-resident Oklahoma licensed insurance producer holding license 3002436716 and NPN number 19699600. Her business address of record is 1734 Kingsley Ave., Ste. 2, Orange Park, Florida 32073.

ALLEGATIONS OF FACT

3. On or about June 10, 2024, the Centers for Medicare & Medicaid Services (hereinafter “CMS”) notified the Oklahoma Insurance Department (hereinafter “OID”) that CMS had terminated its Federally Facilitated Marketplace agreement with Respondent as a result of fraud and/or abusive conduct.

4. The CMS notification had attached a suspension letter, dated November 28, 2024, to Respondent, stating that her PY 2023 agreement with CMS was suspended and gave Respondent ninety (90) days to rebut the evidence of fraud including the use of inaccurate information on policy applications, 288 consumer complaints (93 of which resulted in policy cancellations), and submitting more daily policy applications than reasonably possible for one agent/broker. Failure to submit rebuttal evidence to CMS within the 90-day suspension may result in termination.

5. Additionally, the CMS notification had attached a termination letter, dated January 30, 2024, which stated that although Respondent did timely file rebuttal evidence to her suspension, the evidence produced was insufficient and failed to demonstrate that the preliminary findings of fraud and/or abuse conduct was incorrect., and as a result the Respondent was terminated from participating in the Federally Facilitated Marketplace for a three (3) year period as of the date of the letter.

6. On or about December 18, 2024, the Oklahoma Insurance Department filed a Statement of Charges and Notice of Hearing to determine why Respondent's producer license should not be immediately revoked, suspended, placed on probation, and/or fined or censured pursuant to the penalties provided in 36 O.S. § 1435.13.

7. On or about January 13, 2025, counsel for Respond, Jim McKee, filed an Entry of Appearance and a Motion for Continuance, which was granted.

8. On or about January 14, 2025, counsel for Responded forwarded to undersigned counsel via email exculpatory evidence in this matter, including a Joint Notice of Voluntary Dismissal between the State of Florida Division of Administrative Hearings and Respondent.

9. Whereas the Oklahoma Insurance Department's cause of action was determined by the Respondent's termination with CMS, this matter is now moot.

ORDER

IT IS THEREFORE ORDERED that this matter is DISMISSED WITHOUT PREJUDICE.

WITNESS My Hand and Official Seal this 22nd day of January, 2024.



**GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA**

Tyler P. Trammell

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Trammell
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Tyler P. Trammell, OBA No. 32885
Assistant General Counsel
Oklahoma Insurance Department
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Oklahoma City, OK 73105
(405) 521-6695 (Office)
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CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Dismissal Without Prejudice* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 22nd day of January, 2024, to:

Haley Ann Smith
1734 Kingsley Ave., Ste. 2
Orange Park, FL 32073
Haley.Smith@Alliance321.com

Jim McKee
Florida Bar # 638218
Foley & Lardner, LLP
106 East College Ave., Ste. 900
Tallahassee, FL 32301
jmckee@foley.com
Attorney for Respondent

CERTIFIED MAIL NO.

And that notification was sent to:

NAIC/RIRS

and a copy was delivered to:

Licensing Division

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&
9589 0710 5270 0401 7931 19

Tyler P. Trammell

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Tyler P. Trammell
Date: 2025.01.22
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