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INSURANCE DEPARTMENT

2018 MAY -1 AM 11:35  
ADMIN HEARINGS OFFICE  
BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

IN RE:

BETH B. ROBBINS  
2162 North Oak Lane  
State College, PA 16803

Respondent.

VIOLATIONS:

40 P.S. §§ 310.11(9), (17), (20)  
and 310.78(b)

Docket No. CO18-03-007

#### CONSENT ORDER

AND NOW, this 1st day of May, 2018, this Order is hereby  
issued by the Insurance Department of the Commonwealth of Pennsylvania pursuant to  
the statutes cited above and in disposition of the matter captioned above.

1. Respondent hereby admits and acknowledges that she has received proper  
notice of her rights to a formal administrative hearing pursuant to the Administrative  
Agency Law, 2 Pa.C.S. § 101, et seq., or other applicable law.

2. Respondent hereby waives all rights to a formal administrative hearing in  
this matter, and agrees that this Consent Order, and the Findings of Fact and  
Conclusions of Law contained herein, shall have the full force and effect of an Order  
duly entered in accordance with the adjudicatory procedures set forth in the  
Administrative Agency Law, supra, or other applicable law.

### FINDINGS OF FACT

3. The Insurance Department finds true and correct each of the following Findings of Fact:

- (a) Respondent is Beth B. Robbins and maintains her address at 2162 North Oak Lane, State College, PA 16803.
- (b) Respondent is, and at all times relevant hereto has been, a licensed resident producer.
- (c) Respondent, between February 6, 2014 and September 9, 2016, submitted seven (7) fraudulent insurance claim forms for doctor visits for her husband when he did not see a doctor for treatment.
- (d) Respondent forged the physician's signature on three (3) of the previously mentioned fraudulent insurance claim forms.
- (e) Respondent received \$995.00 in payment from the insurance company regarding the previously mentioned fraudulent claims forms, for her husband.

- (f) Respondent was arrested in October 2017 and charged with one (1) felony and two (2) misdemeanors for filing seven (7) fraudulent insurance claim forms.
- (g) Respondent failed to notify the Pennsylvania Insurance Department of her criminal charges within 30 days.
- (h) Respondent applied for the Accelerated Rehabilitative Disposition Program through the Centre County District Attorney's Office on December 6, 2017.

#### CONCLUSIONS OF LAW

4. In accord with the above Findings of Fact and applicable provisions of law, the Insurance Department concludes and finds the following Conclusions of Law:

- (a) Respondent is subject to the jurisdiction of the Pennsylvania Insurance Department.
- (b) 40 P.S. § 310.11(9) prohibits a licensee or an applicant from forging another person's name on an insurance application or any document related to an insurance or financial service transaction.

- (c) Respondent's activities described above in paragraph 3(d) violate 40 P.S. § 310.11(9).
- (d) 40 P.S. § 310.11(17) prohibits a licensee or an applicant from committing fraud, forgery, dishonest acts or an act involving a breach of fiduciary duty.
- (e) Respondent's activities described above in paragraphs 3(c) through 3(h) violate 40 P.S. § 310.11(17).
- (f) 40 P.S. § 310.11(20) prohibits a licensee or an applicant from demonstrating a lack of general fitness, competence or reliability sufficient to satisfy the Department that the licensee is worthy of licensure.
- (g) Respondent's activities described above in paragraphs 3(c) through 3(h) violate 40 P.S. § 310.11(20).
- (h) 40 P.S. § 310.78(b) requires that within 30 days of being charged with criminal conduct, a licensee shall report the charges to the Department.  
The licensee shall provide the Department with:
  - (1) a copy of the criminal complaint, information or indictment.
  - (2) a copy of the order resulting from any pretrial hearing.
  - (3) a report of the final disposition of the charges.

- (i) Respondent's activities described above in paragraph 3(h) violate 40 P.S. § 310.78(b).
- (j) Respondent's violations of § 310.11(9), (17), (20) and 310.78(b) are punishable by the following, under 40 P.S. § 310.91:
  - (i) suspension, revocation or refusal to issue the license;
  - (ii) imposition of a civil penalty not to exceed five thousand dollars (\$5,000.00) for every violation of the Act;
  - (iii) an order to cease and desist; and
  - (iv) any other conditions as the Commissioner deems appropriate.

#### ORDER

5. In accord with the above Findings of Fact and Conclusions of Law, the Insurance Department orders and Respondent consents to the following:

- (a) Respondent shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.
- (b) All license of Respondent to do the business of insurance are hereby revoked.

- (c) If Respondent should ever become licensed in the future, her licenses may be immediately suspended by the Department following its investigation and determination that (i) any terms of this Order have not been complied with, or (ii) any complaint against Respondent is accurate and a statute or regulation has been violated. The Department's right to act under this section is limited to a period of five (5) years from the date of issuance of such licenses.
- (d) Respondent specifically waives her right to prior notice of said suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days after the date the Department mailed to Respondent by certified mail, return receipt requested, notification of said suspension, which hearing shall be scheduled for a date within sixty (60) days of the Department's receipt of Respondent's written request.
- (e) At the hearing referred to in paragraph 5(d) of this Order, Respondent shall have the burden of demonstrating that she is worthy of an insurance license.
- (f) In the event Respondent's licenses are suspended pursuant to paragraph 5(c) above, and Respondent either fails to request a hearing within thirty

(30) days or at the hearing fails to demonstrate that she is worthy of a license, Respondent's suspended licenses shall be revoked.

6. In the event the Insurance Department find that there has been a breach of any of the provisions of this Order, based upon the Findings of Fact and Conclusions of Law contained herein, the Department may pursue any and all legal remedies available, including but not limited to the following: The Department may enforce the provisions of this Order in an administrative action pursuant to the Administrative Agency Law, supra, or other relevant provisions of law; or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

7. Alternatively, in the event the Insurance Department finds there has been a breach of any of the provisions of this Order, the Department may declare this Order to be null and void and, thereupon, reopen the entire matter for appropriate action pursuant to the Administrative Agency Law, supra, or other relevant provision of law.

8. In any such enforcement proceeding, Respondent may contest whether a breach of the provisions of this Order has occurred but may not contest the Findings of Fact and Conclusions of Law contained herein.

9. Respondent hereby expressly waives any relevant statute of limitations and application of the doctrine of laches for purposes of any enforcement of this Order.

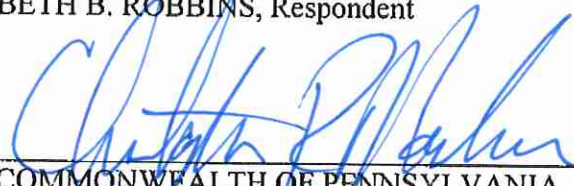
10. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

11. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or a duly authorized delegate is authorized to bind the Insurance Department with respect to the settlement of the alleged violations of law contained herein, and this Consent Order is not effective until executed by the Insurance Commissioner or duly authorized delegate.

BY:



BETH B. ROBBINS, Respondent



COMMONWEALTH OF PENNSYLVANIA


By: CHRISTOPHER R. MONAHAN  
Deputy Insurance Commissioner



BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

IN RE: The Act of April 9, 1929, P.L. 177, No. 175, known as The  
Administrative Code of 1929

AND NOW, this 28<sup>th</sup> day of March, 2018, Christopher R. Monahan,  
Deputy Insurance Commissioner, is hereby designated as the Commissioner's duly  
authorized representative for purposes of entering in and executing Consent Orders. This  
delegation of authority shall continue in effect until otherwise terminated by a later Order  
of the Insurance Commissioner.

  
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Jessica K. Altman  
Insurance Commissioner

