

**RECEIVED**

By Admin Hearings, Ins Dept at 3:44 pm, Jan 25, 2024

BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	VIOLATIONS:
	:	
LACY ROBINSON	:	18 U.S.C. § 1033(e)(2)
1330 W. 11 <sup>th</sup> St.	:	
Erie, PA 16502	:	Pursuant to the Violent Crime
	:	Control and Law Enforcement Act of
Requesting Written Consent to	:	1994, 18 U.S.C. § 1033
Engage in the Business of Insurance	:	
	:	
	:	
	:	
Respondent.	:	Docket No. CW23-03-025

AMENDMENT TO CONSENT ORDER

AND NOW, this 25th day of January, 2024, the Insurance  
Department of the Commonwealth of Pennsylvania hereby issues this Amendment to the  
above-docketed Consent Order issued on March 31, 2023, as follows:

FINDINGS OF FACT

1. Respondent is Lacy Robinson and maintains a record of her address with the Pennsylvania Insurance Department as 2512 Reed Street, Erie, PA 16503.
2. Respondent entered into a Consent Order with the Pennsylvania Insurance Department ("Department"), docketed above, on March 31, 2023.
3. Pursuant to the terms of the above-mentioned Consent Order, the Department provided Respondent with written consent pursuant to 18 U.S.C. §

1033(e)(2) to engage in the business of insurance as a First Notice of Loss Representative with the job duties as set forth in Exhibit 1, which was attached to the Consent Order. (*In re: Lacy Robinson*, Docket No. CW23-03-025, ¶ 4(b)).

4. In addition, the Consent Order provided that Respondent shall be limited to performing the prescribed duties contained in the job description attached to the Consent Order as Exhibit 1. (*Id.*, ¶ 5).

5. The Consent Order further provided that Respondent must request and obtain an amendment to the Order from the Deputy Insurance Commissioner prior to any material modification or expansion of her job duties as described in the attachment to the Consent Order. (*Id.*, ¶ 6).

6. Respondent has informed the Department that she is eligible for a promotion with her employer to the position of First Notice of Loss Representative II and provided the Department with a job description describing the duties of said position, a copy of which is attached as "Exhibit A."

#### CONCLUSIONS OF LAW

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

- (a) The job description for First Notice of Loss Representative II provided by Respondent contains a material modification and/or expansion of the job duties listed in the Consent Order.

- (b) Accordingly, pursuant to the terms of the Consent Order, before undertaking her new position, Respondent must request and obtain an amendment of her Consent Order.

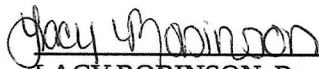
ORDER

8. Accordingly, the Department orders and Respondent consents to the following:

- (a) The Consent Order dated March 31, 2023 is amended to allow Respondent to engage in the business of insurance as a First Notice of Loss Representative II with the job duties set forth in Exhibit A, and only in such capacity, subject to the terms and conditions of the Consent Order dated March 31, 2023.
- (b) All references to Exhibit 1 in the Consent Order dated March 31, 2023 shall be replaced with references to Exhibit A, which is attached hereto and shall be considered a part of the Consent Order.

9. The remaining provisions of the Consent Order dated March 31, 2023 shall remain in full force and effect.

BY:



LACY ROBINSON, Respondent



COMMONWEALTH OF PENNSYLVANIA By:  
DAVID J. BUONO JR.  
Deputy Insurance Commissioner

## **Exhibit A**



**First Notice of Loss (FNOL) Representative II**  
**Role: First Notice of Loss (FNOL) Representative II**

### **Position Details**

Title: First Notice of Loss (FNOL) Representative II  
Reporting To: Supervisor  
Location: Home Office  
Job Code: 002266  
FLSA Classification: Non-Exempt  
Effective Date: 11/16/2023

### **Position Summary**

Under moderate supervision, use various platforms to actively listen to customers (policyholders, agents, claimants, employees) to gain an understanding of their needs, clarify information, and offer possible solutions by using knowledge of company products, services, and policies to assist customers with, inquiries, complaints, or problems.

### **Duties and Responsibilities**

Utilize various platforms to respond to inquiries from customers.

Applies a working knowledge of ERIE and department policies and procedures to have business appropriate conversations, while directing the customer to the appropriate business decision.

Resolves issues within scope of authority, escalates to appropriate area/person of authority as determined by company/department policy and procedure.

In accordance with ERIE policy and procedures, and within scope of authority manages and services office account books of business.

Applies proficient knowledge of ERIE systems and products by responding to callers concerns for all lines of business. Works independently to process more complex loss reports and claims within scope of authority and guidelines provided. Provides claims services, including but not limited to repair options, rental reservations, property mitigation and towing.

Acts as first point of contact for the escalation of calls, complaints, or complex problems.

Handles additional tasks including, but not limited to social media monitoring / responses and variety of queue work.

Settles claims within scope of authority.

Provides department Employees with assistance in servicing customers.

Attends appropriate training and informational meetings to learn and maintains a working knowledge of ERIE policies, procedures, and processing systems, as well as industry knowledge and applicable licensure.

Trains and mentors less experienced staff and acts as subject matter expert (SME) for department and projects, as applicable.

The first eight duties listed are the functions identified as essential to the job. Essential Functions are those job duties that must be performed for the job to be accomplished.

This position description in no way states or implies that these are the only duties to be performed by the incumbent. Employees are required to follow any other job-related instruction and to perform any other duties as requested by their supervisor, or as become evident.

## Duties and Responsibilities (cont'd if applicable)

### Competencies

Values Diversity  
Self-Development  
Nimble Learning  
Detail Orientation  
Collaborates  
Customer Focus  
Cultivates Innovation  
Job-Specific Knowledge  
Optimizes Work Processes  
Instills Trust  
Ensures Accountability  
Decision Quality

### Qualifications

High school diploma or GED required.

One year of any combination of contact center, claims handling, office management clerical or relevant customer service experience required.

Knowledge of billing practices and procedures and ERIE lines of business preferred.

Adjuster license in West Virginia, North Carolina, and Kentucky preferred.

Licenses based on changing compliance requirements required, as applicable.

Demonstrated ability to type a minimum of 28 words per minute preferred.

Proficiency with word processing and spreadsheet software and required.

Completion or active pursuit of insurance education preferred.

Preferred courses or designations:

General Insurance (INS 21, 22, 23)

AIS (Associate in Insurance Services)

Must be able to work a schedule commensurate with department hours.

Department is open 24 hours, every day of the year, including holidays.

## Physical Requirements

Lifting/Moving 0-20 lbs; Occasional (<20%)

Lifting/Moving 20-50 lbs; Occasional (<20%)

Ability to move over 50 lbs using lifting aide equipment; Rarely

Driving; Occasional (<20%)

Pushing/Pulling/moving objects, equipment with wheels; Rarely

Manual Keying/Data Entry/inputting information/computer use; Frequent (50-80%)

Climbing/accessing heights; Rarely

## Disclaimer

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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 \_\_31<sup>st</sup>\_\_ day of \_\_March\_\_\_\_, 2022, David J. Buono, Jr.,  
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.

  
\_\_\_\_\_  
Michael Humphreys  
Acting Insurance Commissioner



**RECEIVED**

*By Admin Hearings, Ins Dept at 2:05 pm, Mar 31, 2023*

BEFORE THE INSURANCE COMMISSIONER  
OF THE  
COMMONWEALTH OF PENNSYLVANIA

IN RE:	:	VIOLATIONS:
	:	
LACY ROBINSON	:	18 U.S.C. § 1033(e)(2)
2512 Reed Street	:	
Erie, PA 16503	:	Pursuant to the Violent Crime
	:	Control and Law Enforcement Act of
Requesting Written Consent to	:	1994, 18 U.S.C. § 1033
Engage in the Business of Insurance	:	
	:	
	:	
	:	
Applicant.	:	Docket No. CW23-03-025

CONSENT ORDER

AND NOW, this 31st day of March, 2023, 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. To the extent applicable, Applicant 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, 2 Pa.C.S. §§ 101, et seq., or other applicable law.

FINDINGS OF FACT

2. The Pennsylvania Insurance Department (“Department”) finds true and correct each of the following Findings of Fact:



- (a) Applicant is Lacy Robinson and maintains a record of her address with the Pennsylvania Insurance Department as 2512 Reed Street, Erie, PA 16503.
- (b) Applicant is currently employed by Erie Insurance Company as a First Notice of Loss Representative. Erie Insurance Company ("the Company") is licensed to transact the business of insurance in accordance with The Insurance Company Law, Act of May 17, P.L. 682 (40 P.S. §§ 342 et seq.).
- (c) Applicant, on December 5, 2003, was convicted of Forgery, a felony, in the in the Court of Common Pleas of Crawford County, Pennsylvania and was sentenced to imprisonment for a minimum term of one (1) month and a maximum term of ten and one-half (10 ½) months, two (2) years under the supervision of probation, restitution in the amount of \$505.00, and a fine in the amount of \$250.00.
- (d) Applicant, on May 24, 2004, was convicted of Forgery, a felony, in the Court of Common Pleas of Crawford County, Pennsylvania and was sentenced to imprisonment for a minimum term of nine (9) months and a maximum term of twenty-four (24) months, restitution in the amount of \$135.83, and a fine in the amount of \$250.00.
- (e) Applicant, on September 1, 2004, was convicted of Criminal Conspiracy, a felony, in the Court of Common Pleas of Crawford County, Pennsylvania and was sentenced to incarceration for a minimum term of



twelve (12) months to a maximum term of twenty-four (24) months, consecutive to the sentence in Finding 3(d), restitution in the amount of \$1,374.87, and a fine in the amount of \$100.00.

- (f) Applicant, on November 22, 2022, submitted an application to the Pennsylvania Insurance Department for written consent to engage in the business of insurance pursuant to 18 U.S.C. § 1033(e)(2).
- (g) The activities in which Applicant desires to engage, constitutes the business of insurance within the meaning of 18 U.S.C. § 1033(e)(1)(A) and (f).

#### CONCLUSIONS OF LAW

3. 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) 18 U.S.C. § 1033(e)(2) provides that persons convicted of felonies involving dishonesty or a breach of trust may not engage in the business of insurance or participate in such business unless such person has the written consent of any insurance regulatory official authorized to regulate the insurer, which consent specifically refers to 18 U.S.C. § 1033(e)(2).

- (b) Forgery and Criminal Conspiracy are criminal felonies involving dishonesty or a breach of trust within the meaning of 18 U.S.C. §1033(e)(1)(A).
- (c) The activities in which Applicant desires to engage constitute the business of insurance within the meaning of 18 U.S.C. §1033(e)(1)(A) and (f).
- (d) Accordingly, Applicant may not engage in the business of insurance without a written consent issued by the Insurance Department pursuant to 18 U.S.C. §1033(e)(2).
- (e) The Insurance Department has determined that Applicant may engage in the business of insurance in the capacity of a First Notice of Loss Representative with the job duties set forth and attached as "Exhibit 1" for the Company, and only in such capacity, subject to the terms and conditions of this Order. Further, the conditions contained herein are necessary and sufficient to ensure that Applicant may engage in the business of insurance in a manner that is not reasonably likely to cause harm to the public, policyholders or the insurer.

#### ORDER

4. Accordingly, the Insurance Department orders and Applicant consents to the following:

- (a) Applicant shall cease and desist from engaging in the activities described herein in the Findings of Fact and Conclusions of Law.  
Applicant shall further comply with Pennsylvania insurance laws and regulations.
- (b) Pursuant to 18 U.S.C. §1033(e)(2), Applicant may engage in the business of insurance as a First Notice of Loss Representative with the job duties set forth in Exhibit 1, and only in such capacity, subject to the terms and conditions of this Order, which terms and conditions contained herein are necessary and sufficient to ensure that Applicant may engage in the business of insurance in a manner that is not reasonably likely to cause harm to the public, policyholders or the industry.

5. Applicant shall be limited to performing the prescribed duties of the job description attached hereto as Exhibit 1.

6. Applicant must request and obtain an amendment to this Order from the Deputy Insurance Commissioner prior to any material modification or expansion of duties identified in the job description attached hereto as Exhibit 1. This request must be accompanied by a proposed new job description and a current Pennsylvania State Police certified Criminal Record Check.

7. Failure to obtain an amendment to this Order prior to any material modification or expansion of duties constitutes a breach of this agreement and as such, the Department's consent permitting Applicant to engage in the business of insurance may be immediately suspended pursuant to Paragraph 13 of this Order.

8. Applicant must notify the Department in writing if she changes employers, or if the Company experiences a change of ownership or control through any merger, acquisition or divestiture transaction within 30 days of any such change. Nothing in this Order shall be construed as constraining Applicant's ability to change employment in the insurance industry provided that there is no material modification or expansion of the job duties prescribed in Exhibit 1.

9. This notice must include the new job description for the new employer and a written representation that there has been no material modification or expansion of job duties.

10. Applicant must notify the Department in writing of any and all subsequent felony or misdemeanor convictions within ten (10) business days of any said conviction.

11. The term of this Order shall remain in place for a period of five years and, thereafter, unless and until the Department terminates the Order. Nothing in this Order shall preclude the Department or the Commissioner, in their sole discretion, from decreasing or lessening the restrictions contained in this Order in whole or in part while it is in effect. Any such lessening of the restrictions contained in this Order shall be made in writing by the Department, the Department or the Commissioner in accordance with the procedures set forth in Paragraph 20 of this Order.

12. Following the five-year period referenced in Paragraph 11, above, this Order shall continue unless and until the Department affirmatively terminates it. Nothing in this Order shall be construed as conferring upon Applicant any property right or

interest as a result of receiving this conditional consent to engage in the business of insurance in accordance with the terms of this Order. Applicant expressly waives any right to assert that he is entitled to a hearing on the termination of this Order following the expiration of the five-year period referenced in Paragraph 11. Should the Insurance Department or the Commissioner terminate this Order after the five year period referenced in Paragraph 11, above, Applicant may file a new application for a written consent to engage in the business of insurance under 18 U.S.C. § 1033(e)(2).

13. The Department's conditional consent, permitting Applicant to engage in the business of insurance, may be immediately suspended upon notice by the Department following its investigation that Applicant has failed to adhere to any condition set forth in this Order or has violated an insurance statute or regulation.

14. Applicant shall have no right to prior notice of such a suspension, but will be entitled to a hearing upon written request received by the Department no later than thirty (30) days from the date the Department mailed to Applicant by certified mail, return receipt requested, notification of such suspension, which hearing shall be held within sixty (60) days of the Department's receipt of Applicant's written request for a hearing.

15. At the hearing referred to in paragraph 14 above, Applicant shall have the burden of demonstrating that he continues to meet the conditions set forth herein to maintain a conditional consent to engage in the business of insurance. In the event Applicant's conditional consent is suspended pursuant to Paragraph 13 above, and Applicant either fails to request a hearing within 30 days or at the hearing fails to demonstrate that he continues to meet the conditions set forth herein to maintain a



conditional consent to engage in the business of insurance, Applicant's suspended conditional consent shall be revoked.

16. In the event the Insurance Department finds 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 provision of law or, if applicable, the Department may enforce the provisions of this Order in any other court of law or equity having jurisdiction.

17. Alternatively, in the event the Insurance Department finds that there has been a breach of any 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.

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

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



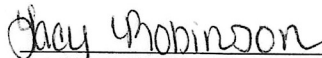
20. This Order constitutes the entire agreement of the parties with respect to the matters referred to herein, and it may not be amended or modified except by an amended order signed by all the parties hereto.

21. This Order shall be final upon execution by the Insurance Department. Only the Insurance Commissioner or the duly authorized delegee is authorized to bind the Insurance Department with respect to the matters addressed herein, and this Consent Order is not effective until executed by the Insurance Commissioner or the duly authorized delegee.

22. In addition to the authority conferred under Article IX of The Insurance Department Act of 1921, Act of May 17, 1921, P.L. 789, *added by* the Act of December 18, 1992, P.L. 1469, 40 P.S. §§323.1-323.8, the Insurance Commissioner and the Department shall have the authority to ensure compliance with the terms of this Order by any reasonable means, including but not limited to the right to review any books, records, or other materials in possession of the Company.

23. Within 25 business days of receipt of a copy of this Order executed by the Insurance Department, Applicant agrees to notify the appropriate Company official(s) of the terms of this Order and to provide them with a copy of the same.

BY:



LACY ROBINSON, Applicant



COMMONWEALTH OF PENNSYLVANIA

By: DAVID J. BUONO JR.

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 \_\_31<sup>st</sup>\_\_ day of \_\_March\_\_\_\_, 2022, David J. Buono, Jr.,  
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.

  
\_\_\_\_\_  
Michael Humphreys  
Acting Insurance Commissioner

