

STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE

In re:

Anthony M. Emerson

National Producer No. 20021242

Maine License No. PRR 391095

Docket No. INS-24-201

**CONSENT AGREEMENT
AND ORDER**

Anthony M. Emerson, licensed as a resident insurance producer, the Maine Superintendent of Insurance (“Superintendent”), and the Office of the Maine Attorney General (“Attorney General”) hereby enter into this Consent Agreement pursuant to 10 M.R.S. § 8003(5)(B) to resolve, without an adjudicatory proceeding, violations of the Insurance Code for which the Superintendent may impose discipline pursuant to 24-A M.R.S. §§ 12-A, 1417, and 1420-K.

STATUTORY AUTHORITY

1. Under 24-A M.R.S. §§ 12-A, 1417, and 1420-K, the Superintendent may issue a warning, censure, or reprimand to a licensee, may suspend, revoke or refuse to renew the license of a licensee, may impose conditions of probation on the licensee, may levy a civil penalty, or may take any combination of such actions, for violating any insurance laws, or violating any rule, regulation, subpoena, or order of the Superintendent.
2. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve a matter by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

FACTS

3. The Superintendent is the official charged with administering and enforcing Maine’s insurance laws and regulations, and the Bureau of Insurance (“Bureau”) is the administrative agency with such jurisdiction. The Superintendent has jurisdiction over this matter pursuant to 24-A M.R.S. §§ 12-A and 211.
4. Emerson is licensed as a resident insurance producer by the Bureau. His producer license number is PRR 391095. His National Insurance Producer Registry Number (NPN) is 20021242.
5. On April 27, 2022, a licensed resident producer agency (“the agency”) notified the Bureau that it had terminated Emerson’s affiliation with the agency.
6. During the course of his employment at the agency, Emerson bound coverage for an automobile insurance policy. However, he quoted that coverage without providing the insurer with a vehicle identification number (VIN) associated with the vehicle that was the

interest of the policy. After providing the insurer with a VIN and then binding the coverage, and knowing that the actual cost of the policy would be higher than the quoted price that had been communicated to the insured customer, Emerson paid the difference in price with his own personal debit card without telling the insured customer or anyone else.

7. On March 8, 2022, two managers of the agency interviewed Emerson concerning the reasons why his employment was being terminated for cause with immediate effect. During that interview Emerson said in regard to the conduct described in Paragraph 6 that he did not know whether his conduct was illegal.
8. Emerson was also asked by the owner of the agency whether he had ever informed the customer of the true premium that was owed on the policy. To this, Emerson stated that he did not.

CONCLUSIONS OF LAW

9. As described in Paragraphs 6 through 8 above, Emerson violated 24-A M.R.S. § 2162(1) by paying a portion of a customer's premium after the policy coverage had been effected, contrary to the terms of the policy, and without the knowledge of the policyholder.

COVENANTS

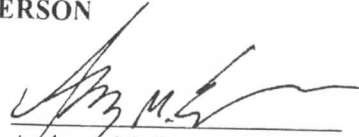
10. Emerson admits to the Facts stated above and admits that those Facts constitute a basis for imposing discipline upon him due to his violation of 24-A M.R.S. § 2162(1).
11. Emerson warrants that he has made full and accurate disclosure to the Bureau regarding this matter, and he agrees that any material inaccuracy would constitute a violation of this Consent Agreement.
12. Emerson agrees to a two-year period of probation under his insurance producer license, subject to the following conditions:
 - a. Within three (3) months from the effective date of this Consent Agreement, Emerson shall complete 10 hours of continuing education (CE) credits that are designated "ethics." The 10 ethics hours shall be additional to the CE hours already mandated by law for Emerson to maintain his insurance license, and not duplicative. No later than the end of the fourth month following the effective date of this Consent Agreement, Emerson shall provide the Bureau with copy(ies) of his certificate(s) demonstrating compliance with the additional 10 hours of ethics CE.
 - b. He shall abide by all Maine insurance laws and regulations, including, but not limited to, Maine laws and regulations regarding sales practices, competence, and continuing education and other licensing requirements.
13. Emerson agrees that his failure to comply with any condition of probation may result in further disciplinary action, up to and including license revocation.

14. Anthony Emerson agrees to the imposition of a civil penalty in the amount of five-hundred dollars (\$500), which he will remit to the Maine Bureau of Insurance at the time of returning this signed agreement. Payment shall be by check or money order and made out to "Treasurer, State of Maine" and addressed to: Licensing Attorney, Maine Bureau of Insurance, 34 State House Station, Augusta, Maine 04333-0034.
15. Nothing in this Consent Agreement shall affect the rights or interests of any person who is not a party to this Consent Agreement.
16. This Consent Agreement is not subject to appeal. Emerson waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.
17. This Consent Agreement constitutes an Order of the Superintendent. A violation of its terms is enforceable by the Superintendent pursuant to 24-A M.R.S. §§ 12-A and 211.
18. The effective date of this Consent Agreement is the date of the Superintendent's signature.
19. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto. Any decision to modify, continue or terminate any provision of this Consent Agreement rests in the discretion of the Superintendent and the Attorney General.
20. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Act, 1 M.R.S. §§ 401 through 410, and will be available for public inspection and copying pursuant to 1 M.R.S. § 408-A.
21. This Consent Agreement is an adverse action and will be reported to the Regulatory Information Retrieval System ("RIRS") database at the National Association of Insurance Commissioners ("NAIC").
22. Emerson agrees that he has read this Consent Agreement, that he understands this Consent Agreement, that he has reviewed the statutory provisions set forth herein, that he has had an opportunity to consult counsel before signing this Consent Agreement, and that he enters into this Consent Agreement voluntarily and without coercion of any kind from any person.
23. In consideration of Emerson's execution of and compliance with the terms of this Consent Agreement, the Superintendent and Attorney General agree to forgo pursuing against Emerson any further disciplinary measures or other civil or administrative sanctions arising *under the Maine Insurance Code* concerning the specific, admitted conduct described in this Consent Agreement. However, should Emerson violate any provision of this Consent Agreement, he may be subject to any available sanction for the violation.

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ANTHONY M. EMERSON

Dated: June 18, 2024


Anthony M. Emerson

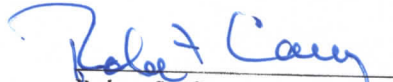
THE OFFICE OF THE MAINE ATTORNEY GENERAL

Dated: 6/18, 2024


Lisa A. Wilson
Assistant Attorney General

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: 6/18, 2024


Robert L. Carey
Superintendent of Insurance