



STATE OF MAINE
BUREAU OF INSURANCE
Docket No. INS-01-2511

In re:
Michael Anthony White

CONSENT AGREEMENT

This document is a Consent Agreement authorized by Title 10 M.R.S.A. § 8003(5), entered into between Michael A. White, of Woodstock, Georgia, and the Maine Bureau of Insurance. Its purpose is to resolve, in lieu of an adjudicatory proceeding, a violation of Title 24-A M.R.S.A §1417(1)(C).

STATEMENT OF FACTS

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations. The Bureau of Insurance is the agency with jurisdiction over same.
2. Michael A. White applied for a Maine Nonresident Producer License in January, 2001.
3. Item 33(2) on the Uniform Application for Individual Non-Resident License required a response to the following question: "Have you or any business in which you are or were an owner, partner, officer or director ever been involved in an administrative proceeding regarding any professional or occupational license?"
4. Mr. White answered "No" to Item 33(2).
5. The application included Mr. White's signature, dated January 9, 2001, under Item 34(1), which states: "I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties."
6. Staff of the Maine Bureau of Insurance discovered, through its routine application review process, that in 1985 Mr. White's license was put on probation for six months in the State of Florida.
7. By letter dated February 5, 2001, the Supervisor of Licensing for the Maine Bureau of Insurance requested an explanation for Mr. White's failure to disclose the Florida matter.
8. The Bureau received a written reply from Mr. White, stating that the failure to disclose was an oversight, and including a copy of a more detailed explanation letter which he has previously provided to other states in response to similar queries. The explanation further stated that the probation arose from his inadvertent misunderstanding of certain licensing requirements in Florida.

CONCLUSIONS OF LAW

9. Michael A. White failed to disclose a material fact in his Maine application for nonresident licensing.
10. Mr. White's failure in his Maine nonresident producer application to disclose the Florida license probation constituted a violation of 24-A M.R.S.A. §1417(1)(C), which provides that obtaining or attempting to obtain any license through misrepresentation, failure to disclose a material fact required to be disclosed in the application or fraud constitutes grounds for denial of the license application.

COVENANTS

11. Michael A. White and the Staff of the Maine Bureau of Insurance agree to the following:
12. A formal hearing in this matter is waived and no appeal will be taken. This Consent Agreement is an enforceable final agency action within the meaning of the Maine Administrative Procedure Act.
13. At the time of executing this Consent Agreement, Mr. White will remit to the Maine Bureau of Insurance an administrative penalty in the amount of \$100.00, payable to the Treasurer of the State of Maine.
14. Mr. White will promptly report any matters to the Maine Bureau of Insurance during all times as he is licensed through the Bureau, to the extent such reporting is required under the Maine Insurance Code, and will comply in all other respects with the provisions of the Maine Insurance Code, as applicable.
15. In consideration of Mr. White's execution of this Consent Agreement, the State of Maine Bureau of Insurance shall issue the Nonresident Producer License for which he has applied.

MISCELLANEOUS

16. Mr. White understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 MRSA § 402, and will be available for public inspection and copying as provided for by 1 MRSA § 408, and will be reported to the NAIC "RIRS" database.
17. Nothing herein shall prohibit the Superintendent or the Maine Bureau of Insurance from seeking an Order to revoke or suspend Mr. White's license in the State of Maine in the event that he does not comply with the above terms or in the event the Bureau receives evidence that further legal action is necessary for the protection of Maine consumers.
18. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.
19. The Superintendent may issue a Consent Order in this matter, a copy of which is attached.

EXECUTION PAGE – MICHAEL A. WHITE CONSENT AGREEMENT

Dated: 3/28, 01

State of Georgia
County of Cherokee

Subscribed and Sworn to before me
this 28th day of March, 2001.



Michael A. White
Michael A. White

Angela M. Reppert
Notary Public/ Attorney

FOR THE MAINE BUREAU OF INSURANCE

Dated: April 5, 2001

Arthur G. Hosford, Jr.
Arthur G. Hosford, Jr., Attorney

FOR THE MAINE ATTORNEY GENERAL

Dated: April 9, 2001

Carolyn A. Shsby
Carolyn A. Shsby
(printed name)
Assistant Attorney General