

**STATE OF MAINE
BUREAU OF INSURANCE**

IN RE:]
]
BRIDGET A. LAFERRERA] CONSENT AGREEMENT
]
Maine License No. ADN117084] Docket No. INS-09-206
NAIC NIPR No. 8051719]
]

INTRODUCTION

Bridget A. Laferrera, a Maine-licensed insurance adjuster, the Maine Superintendent of Insurance (“the Superintendent”), and the Office of the Maine Attorney General hereby enter into this Consent Agreement pursuant to 10 M.R.S.A. § 8003(5)(B) to resolve, without an adjudicatory proceeding, violations of the Maine Insurance Code under a license issued by the Bureau. As more fully set out below, Ms. Laferrera violated the Maine Insurance Code by violating insurance laws administered through the Code and Title 39A, the Maine Workers Compensation Act in the adjusting of 38 workers’ compensation claims in Maine in 2006 and 2007.

PARTIES

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine’s insurance laws and regulations, and the Bureau of Insurance is the administrative agency with such jurisdiction. The Superintendent has jurisdiction over this matter pursuant to 24-A M.R.S. §§ 12-A, 211, and 229.
2. Bridget Laferrera has been licensed in Maine as a non-resident insurance adjuster since 2005. Her Maine Adjuster Number is ADN117084. Her National Producer Registry Number is 8051719.

STATUTORY AUTHORITY

3. Under 24-A M.R.S. §§ 1417 and 1420-K(1)(B), after notice and opportunity for hearing, the Superintendent may place on probation, suspend, revoke or refuse to issue or renew an insurance adjuster’s license or may levy a civil penalty in accordance with section 12-A, or take any combination of such actions, for violating any insurance laws, or violating any rule, regulation, subpoena or order of the Superintendent or of another state’s insurance commissioner.
4. Pursuant to 10 M.R.S. § 8003(5), the Superintendent may resolve a complaint by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

FACTS

5. From 2005 to January 2008, Ms. Laferrera was employed by Broadspire, Inc., a licensed adjuster firm and third party administrator. During this time period, Ms. Laferrera's responsibilities included the administration of workers' compensation claims in Maine.
6. In 2008, the Audit Division of the Maine Workers' Compensation Board (WCB) audited 38 claims adjusted by Ms. Laferrera with dates of injury in 2006 and 2007.
7. The WCB issued a Compliance Audit Report of Broadspire on October 16, 2008 (the "Audit Report"). That report found numerous violations of requirements for form filing, timely payment of benefits, and proper calculation of benefit payments, as well as other significant issues. (The Report is attached as Exhibit A.)
8. As evidenced by the Audit Report at Exhibit A, in adjusting the 38 claims audited by the WCB, Ms. Laferrera failed to comply with Maine statutes and WCB rules governing the adjustment and processing of Maine workers' compensation claims. Specifically, in numerous instances Ms. Laferrera negligently failed to (a) accurately complete and timely file required forms, (b) timely pay benefits, and (c) accurately pay benefits.

COVENANTS

9. Ms. Laferrera admits to the Facts as stated above and admits that these Facts constitute a basis for imposing discipline against her pursuant to 24-A M.R.S. §§ 1417 and 1420-K(1)(B) for multiple violations of insurance laws administered through Title 39A, the Maine Workers Compensation Code, specifically:
 - a. 39-A M.R.S. § 303, setting forth the requirements for filing Forms WCB-1 ("Employer's First Report of Occupational Injury or Disease"), WCB-2 ("Wage Statement"), and WCB-2A ("Schedule of Dependents and Filing Status");
 - b. Board Rule Chapter 1, § 1.1, setting forth the requirements for filing Forms WCB-3 ("Memorandum of Payment"), WCB-4A ("Consent Between Employer and Employee"), and WCB-9 ("Notice of Controversy");
 - c. Board Rule Chapter 8, § 11, setting forth the requirements for filing Form WCB-4 ("Discontinuance or Modification of Compensation");
 - d. 39-A M.R.S. § 205(9)(B)(1), setting forth the requirements for filing Form WCB-8 ("(21 Day) Certificate of Discontinuance or Reduction of Compensation");
 - e. Board Rule Chapter 8, § 1, setting forth requirements for filing Form WCB-11 ("Statement of Compensation Paid");
 - f. 39-A M.R.S. § 205, setting deadlines for payment of compensation for incapacity and requiring prompt and direct payment;
 - g. Board Rule Chapter 5, § 7, setting deadlines for payment of health care providers;
 - h. 39-A M.R.S. § 324, setting forth requirements for compensation payments under an approved agreement, order or decision;
 - i. 39-A M.R.S. § 102(4) and Board Rule 1.5, setting forth the requirements for calculating average weekly wages;
 - j. 39-A M.R.S. § 102(1), setting forth the requirements for determining weekly compensation rates;
 - k. 39-A M.R.S. §§ 212 and 213, setting forth the requirements for compensation for total incapacity and partial incapacity;

1. Board Rule 1.1, § 2, requiring payment of benefits if a Notice of Controversy is filed more than 14 days after the employer's notice or knowledge of a claim of compensation.
10. Ms. Laferrera represents that since January 2008, no disciplinary or enforcement actions have been brought against her or her current employer in any jurisdiction for any alleged violations based on claims she adjusted.
11. Ms. Laferrera represents that since January 2008, she attended trainings held by the Maine Workers Compensation Board on October 6-9, 2009 and January 27-29, 2010, as well as an in-house training specific to Maine Workers' Compensation law in May, 2009.
12. Ms. Laferrera agrees to remit to the Maine Bureau of Insurance a civil penalty in the total amount of \$2,000.00, payable to the Treasurer of the State of Maine, which payment shall be due within thirty (30) days following the date this Agreement is fully executed.
13. Ms. Laferrera agrees that her Maine adjuster's license shall be subject to a term of probation of two years, beginning from the date this Agreement is fully executed. During this period, Laferrera shall (a) report to the Superintendent any investigations, proceedings, and customer complaints of any type, written or oral, concerning her activities in the insurance industry both within and without Maine and (b) attend two Maine Workers Compensation Board trainings every 12 months, starting from the date her probation begins. Within 30 days of the expiration of each 12-month period, Ms. Laferrera shall provide to the Superintendent proof of attendance of such trainings.

If Ms. Laferrera violates this Agreement, the Maine Insurance Code, other applicable law, or any order of the Superintendent during the term of her prohibition or is disciplined by regulators in any other state in which she is licensed, the Superintendent may, in her discretion, immediately and without hearing suspend Ms. Laferrera's license for any period up to and including the remainder of the probation period. Such suspension shall not preclude the Superintendent from initiating an enforcement proceeding to take any other appropriate disciplinary action for such violations, including without limitation, permanent revocation of her Maine adjuster license.

14. The Parties to this Consent Agreement understand that nothing herein shall affect any rights or interest that any person not a party to this Agreement may possess.
15. In return for Ms. Laferrera's execution of this Consent Agreement, the Superintendent and the Attorney General agree that, except as otherwise provided herein, no further action will be initiated against Ms. Laferrera by the Bureau of Insurance for the specific violations of the Insurance Code admitted to herein, unless she fails to comply with the terms and conditions of this Consent Agreement. This Consent Agreement does not preclude the State of Maine or any of its agencies from seeking in a judicial forum any remedy for illegal conduct by Ms. Laferrera other than the specific violations of the Insurance Code expressly resolved through this Consent Agreement.
16. This Consent Agreement is enforceable by an action in Maine Superior Court.
17. This Consent Agreement is not subject to appeal. Ms. Laferrera waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.
18. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto. The Superintendent and the Attorney General each retain absolute

discretion to reject any request by Ms. Laferrera to modify, continue, or terminate any or all of the provisions of this Consent Agreement.

19. This Consent Agreement is a public record subject to the provisions of the Maine Freedom of Access Law, 1 M.R.S. §§ 401 through 410, will be available for public inspection and copying as provided for by 1 M.R.S. § 408, and will be reported to the National Association of Insurance Commissioners' "RIRS" database.
20. By her signature on this Consent Agreement, Ms. Laferrera indicates that she has read the Agreement, that she understands the Agreement, that she has reviewed the statutory provisions she has violated, that she has been advised of her right to consult with counsel and has had an opportunity to consult with counsel before signing the Agreement, and that she enters into the Agreement voluntarily and without coercion of any kind from any person.

BRIDGET LAFERRERA

Dated: 10/14/10

Bridget Laferrera

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: October 20, 2010

Mila Kofman, Superintendent

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: 10/20/10

Jonathan R. Bolton
Assistant Attorney General