

STATE OF MAINE
BUREAU OF INSURANCE

IN RE:

Anthony Sweet

National Producer No. 17495555
Maine License No. PRR 245873

**CONSENT AGREEMENT
and Order**

Docket No. INS-17-209

Anthony Sweet, a resident insurance producer, the Maine Superintendent of Insurance ("the 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, a violation of the Insurance Code for which the Superintendent may impose discipline pursuant to 24-A M.R.S. §§ 1417 and 1420-K.

STATUTORY AUTHORITY

1. Under 24-A M.R.S. §§ 12-A 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. Pursuant to 10 M.R.S. § 8003(5)(B), the Superintendent may resolve a complaint by entering into a consent agreement with a licensee and with the agreement of the Attorney General.

FACTS

2. 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 and 211.

3. Anthony Sweet is Maine resident insurance producer, license number PRR245873, with life and health authority.

4. Mr. Sweet was licensed on February 5, 2015, and at that time was employed by American Family Life Assurance Company of Columbus (Aflac).

5. Aflac notified the Bureau of Insurance of Mr. Sweet's termination for cause on August 2, 2016. Mr. Sweet's appointment was terminated for placing ineligible policyholders on a group account established in the name of Mr. Sweet's business.

6. Aflac's investigation found that, on or around May 28, 2015, Mr. Sweet set up an employer policy and offered accident, hospital, dental, and vision insurance to individuals who were at no time compensated employees of his business. Eleven individuals established coverage under the business's group policy and were identified as employees.

7. The Bureau conducted a telephone interview with Mr. Sweet on April 10, 2017. Mr. Sweet stated that he was told by management that placing these individuals on the policy was acceptable “as long as they helped [him] before” and that he was encouraged to set up this account to assist his office in reaching a sales target. The individuals who received coverage included family and friends who had helped with bringing in customers and assisting with classes; however, they were not compensated for these efforts. Mr. Sweet stated that, at the time, he did not understand that his conduct was contrary to Aflac procedures or that he was completing the applications in a way that was dishonest.

CONCLUSIONS OF LAW

8. Title 24-A M.R.S. § 1420-K(1)(H) provides that the Superintendent may place on probation, suspend, revoke or refuse to issue or renew an insurance producer’s license or may levy a civil penalty in accordance with section 12-A, or take any combination of such actions, for using fraudulent, coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this State or elsewhere.

COVENANTS

9. Mr. Sweet admits to the Facts as stated above and admits that these Facts constitute a basis for imposing discipline upon him.

10. Mr. Sweet agrees to the imposition of a civil penalty in the amount of Two Hundred and Fifty Dollars (\$250.00). Mr. Sweet will make five monthly payments of fifty dollars (\$50), the first of which Mr. Sweet will remit to the Maine Bureau of Insurance at the time of returning this signed agreement. Subsequent payments pursuant to this agreement shall be due by the first of the month commencing in June, 2017. Payments shall be by check or money order made out to “Treasurer, State of Maine” and addressed to: Licensing Attorney, Maine Bureau of Insurance, 34 State House Station, Augusta, Maine 04333-0034.

11. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

12. In consideration of Mr. Sweet’s execution of and compliance with the terms of this Consent Agreement, the Superintendent and Attorney General agree to forgo pursuing against Mr. Sweet any further disciplinary measures or other civil or administrative sanctions available under the Maine Insurance Code concerning the specific conduct described in this Consent Agreement, other than those agreed to herein. However, should Mr. Sweet violate any provision of this Consent Agreement, he may be subject to any available remedy for the violation.

13. This Consent Agreement constitutes an Order of the Superintendent and is enforceable by the Superintendent and by an action in Maine Superior Court.

14. This Consent Agreement is not subject to appeal. Mr. Sweet waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.

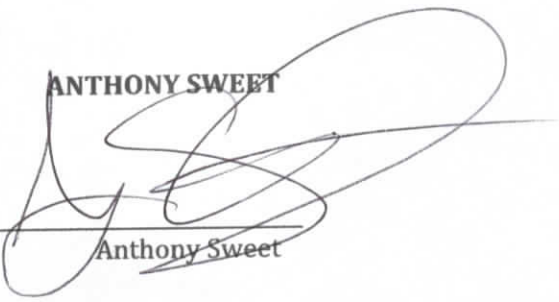
15. This Consent Agreement may be modified only by a written agreement executed by all of the parties hereto.

16. 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-A, and will be reported to the Regulatory Information Retrieval System database at the National Association of Insurance Commissioners.

17. Mr. Sweet 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 understands his right to consult with counsel before signing this Consent Agreement, and that he enters into this Consent Agreement voluntarily and without coercion of any kind from any person.

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Dated: 5/8, 2017

ANTHONY SWEET
By: 
Anthony Sweet

THE MAINE OFFICE OF THE ATTORNEY GENERAL

Dated: 5/17/17

By: 
Colin Hay
Assistant Attorney General

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: 5-18-, 2017

By: 
Eric A. Cioppa
Superintendent of Insurance