

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20943-AG21-1110-214

IN THE MATTER OF:)
)
Terri Lumpkin, Pro se)
515 Sawyers Mill Rd., Apt 210)
Charlotte, NC 28262)
)
Respondent.)
)
Type of Agency Action: Enforcement)
)
License: 3468343)

FILED
OCT 26 2022
STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

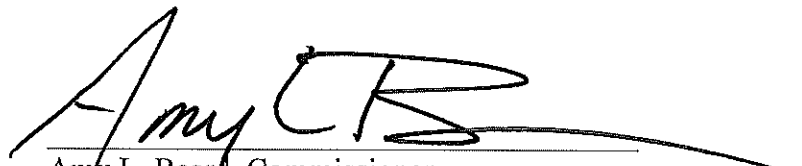
The Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Samantha Aldridge, and Terri Lumpkin, pro se (“Respondent”), a nonresident producer, signed an Agreed Entry which purports to resolve all issues involved in the above-captioned cause number, and which has been submitted to the Commissioner of the Indiana Department of Insurance (“Commissioner”) for approval.

The Commissioner, after reviewing the Agreed Entry, which reinstates Respondent’s nonresident producer license on a probationary basis for two (2) years, during which time Respondent will be required to submit a list of appointments to the Department every six (6) months due to Respondent’s coercive practices in the conduct of business, finds it has been entered into fairly and without fraud, duress or undue influence, and it is fair and equitable between the parties. The Commissioner hereby incorporates the Agreed Entry, attached, as if fully set forth herein, and approves and adopts in full the Agreed Entry as a resolution of this matter.

IT IS THEREFORE ORDERED by the Commissioner as follows:

1. Respondent's nonresident insurance producer license shall be reinstated and placed on probation for a period of two (2) years, beginning the date the Commissioner signs this Final Order.
2. During the probationary period, Respondent shall submit a current list of appointments to the Department every six (6) months from the date of this Final Order via email at: Enforcement@idoi.in.gov.
3. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license.
4. This final order is issued under Ind. Code § 4-21.5-3-34(d) and must be filed in the administrative proceeding within thirty (30) days. The administrative proceeding related to this final order will remain open until closed by the administrative law judge.

10.25.2022
Dated



Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution: Samantha Aldridge, Attorney
ATTN: Gina Davies, Sr. Investigator
INDIANA DEPARTMENT OF INSURANCE
311 West Washington Street, Suite 103
Indianapolis, Indiana 46204-2787

Terri Lumpkin
515 Sawyers Mill Rd., Apt 210
Charlotte, NC 28262

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DEPT. OF INSURANCE

AGREED ENTRY

This Agreed Entry is executed by and between the Enforcement Division of the Indiana Department of Insurance (“Department”), by counsel, Samantha Aldridge, and Terri Lumpkin pro se (“Respondent”), to resolve all issues in the above-captioned cause number. This Agreed Entry is subject to the review and approval of Amy L. Beard, Commissioner of the Indiana Department of Insurance (“Commissioner”).

WHEREAS, Respondent is a nonresident producer holding license number 3468343 (“Respondent’s license”) since August 27, 2019; and

WHEREAS, on or about September 27, 2021, the Department received a complaint from a consumer (“Complainant”) alleging Respondent conducted business in a coercive manner, changing a 98-year-old consumer’s policy from an PPO to an HMO which put the consumer at a disadvantage; and

WHEREAS, the Department's investigation determined Anthem Insurance Company found Respondent should not have moved forward with the enrollment of this plan due to the consumer's hesitation about the plan and consumer's age; and

WHEREAS, Respondent's conduct is in violation of Indiana Code § 27-1-15.6-12(b)(8) which states, in part, that the Commissioner may place an insurance producer on probation for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in Indiana or elsewhere; and

WHEREAS, the Department and Respondent (collectively, the "Parties") desire to resolve this matter without the necessity of a hearing.

IT IS, THEREFORE, NOW AGREED by and between the Parties as follows:

1. The Commissioner has jurisdiction over the subject matter and the Parties to this Agreed Entry.
2. In order to avoid formal litigation in this matter, Respondent has determined that it is in her best interests to enter into this Agreed Entry. As such, Respondent acknowledges that she executes this Agreed Entry with full realization of its contents and effects.
3. This Agreed Entry is executed knowingly, voluntarily, and freely by the Parties. The Parties agree that the terms of this Agreed Entry constitute final resolution of this matter.
4. Respondent knowingly, voluntarily, and freely waives the right to a public hearing on this matter, including the right to appear in person before the

Commissioner, present evidence, cross-examine witnesses, and present arguments.

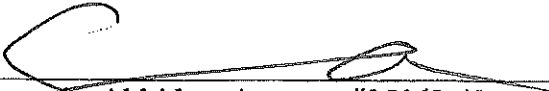
5. Respondent knowingly, voluntarily, and freely waives the right to judicial review of this matter or otherwise appeal or challenge the validity of this Agreed Entry.
6. Respondent knowingly, voluntarily, and freely waives, releases, and forever discharges all claims or challenges, known or unknown, against the Department, its Commissioner, employees, agents, and representatives, in their individual and official capacities, that arise out of or are related to the Agreed Entry or Final Order, including but not limited to any act or omission as part of the underlying audit, investigation, negotiation, or approval process.
7. Respondent's nonresident producer license shall be reinstated, and Respondent shall be placed on probation for a period of two (2) years, beginning the date the Commissioner signs the Final Order adopting this Agreed Entry. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license. Respondent has carefully read and examined this Agreed Entry and fully understands its terms. During the probationary period, any violations of Title 27 of the Indiana Code will result in the Department seeking immediate revocation of Respondent's license. During the probationary period, Respondent shall submit a current list of appointments to the Department every six (6) months from the date of the Final Order via email at: Enforcement@idoi.in.gov.

8. Respondent has had the opportunity to have this Agreed Entry reviewed by legal counsel of her choosing, at her own expense, and is aware of the benefits gained and obligations incurred by the execution of this Agreed Entry. Respondent understands and agrees that the Department cannot give her legal advice.
9. Respondent has entered into this Agreed Entry knowingly, voluntarily, and freely, and has not been subject to duress, coercion, threat, or undue influence.
10. This Agreed Entry constitutes the entire agreement between the Parties, and no other promises or agreements, express or implied, have been made by the Department or by any employee, director, agent or other representative thereof to induce Respondent to enter this Agreed Entry.
11. The Department agrees to accept Respondent's compliance with the terms of this Agreed Entry as full satisfaction of this matter, and warrants and represents that so long as Respondent complies with the terms of this Agreed Entry, the Department will not bring any further action against Respondent based on the facts that gave rise to this Agreed Entry.
12. In the event the Department finds there has been a breach of any of the provisions of this Agreed Entry, the Department may reopen this matter and pursue alternative action pursuant to Indiana Code § 27-1-15.6-12.
13. Respondent waives any applicable statute of limitations for purposes of any enforcement of the terms and conditions of this Agreed Entry.
14. Respondent acknowledges that this Agreed Entry may be admitted into evidence in any judicial or administrative proceeding against Respondent to enforce the terms and conditions contained herein.

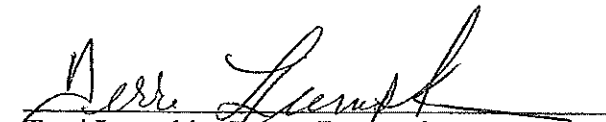
15. Respondent understands that this Agreed Entry resolves only the matter pending with the Department and does not affect any criminal prosecution or civil litigation that may be pending or hereinafter commence against Respondent.
16. This Agreed Entry does not in any way affect the Department's authority in future audits, investigations, examinations, negotiations, or other complaints involving Respondent.
17. It is expressly understood that this Agreed Entry is subject to the Commissioner's acceptance and has no force or effect until such acceptance is evidenced by the entry of a Final Order by the Commissioner.
18. Should this Agreed Entry not be accepted by the Commissioner, it is agreed that presentation to, and consideration of this Agreed Entry by the Commissioner, shall not unfairly or illegally prejudice the Commissioner or Respondent from further participation in or resolution of these proceedings.
19. If this Agreed Entry is accepted by the Commissioner, it will become part of Respondent's permanent record and may be considered in future actions brought by the Department or any other regulator against Respondent. It is further understood that, if accepted by the Commissioner, this Agreed Entry and resulting Final Order are public records pursuant to Indiana Code § 4-21.5-3-32 that may not be sealed or otherwise withheld from the public and may be reported to the National Association of Insurance Commissioners and published on the Department's website as required.

20. Respondent acknowledges that this is an Administrative Action she may be required to report to other jurisdictions in which he is licensed and on future licensing applications.

10/18/22
Date Signed


Samantha Aldridge, Attorney #35162-49
Indiana Department of Insurance

10/11/2022
Date Signed


Terri Lumpkin, Pfo se Respondent

STATE OF NORTH CAROLINA)
) SS:
COUNTY OF Cabarrus)

Before me a Notary Public for Cabarrus County, State of North Carolina personally appeared Terri Lumpkin, and being first duly sworn by me upon her oath, says that the facts alleged in the foregoing instrument are true.

Signed and sealed this 11 day of October, 2022.

Jason Daughtry
NOTARY PUBLIC
Cabarrus County, NC
My Commission Expires December 3, 2022

Jason Daughtry
Notary Signature
Jason Daughtry
Notary Printed

My Commission expires: 12/03/22

County of Residence: Cabarrus