

**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **Michael P. Ippolito**

) **FINAL ORDER**  
) Case No. INS 13-07-001

**History of the Proceeding**

The Director of the Oregon Department of Consumer and Business Services (director), by and through the Insurance Division, commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Michael P. Ippolito (Ippolito).

On 7/10/13, the director issued a notice of proposed action. The notice informed the party that the director proposed to revoke Ippolito's expired<sup>1</sup> Oregon nonresident individual insurance producer license pursuant to ORS 744.074. The notice also informed the party was entitled to a hearing pursuant to ORS 183.415, and if the party wanted a hearing then the party had to send to the director a written request for a hearing so that the director received it by 7/31/13. The notice further informed the party that if a hearing was not conducted because the party did not timely request a hearing or otherwise defaulted then the designated portion of the Insurance Division's file and all materials submitted by the party in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The director did not receive from the party a request for a hearing and did not conduct a hearing.

The director finds that the record of this proceeding proves a *prima facie* case.

The director now makes the following final decision in this proceeding.

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<sup>1</sup> ORS 744.011 permits the director to investigate and take certain enforcement action against a person who was licensed under ORS Chapter 744 but is no longer licensed because the license expired or was surrendered.

## Findings of Fact and Conclusions of Law

### Licensing Information

Ippolito has been licensed in Oregon as a nonresident individual insurance producer from 3/30/11 to 6/30/13. Ippolito's license expired on 6/30/13. Ippolito's NAIC national producer number is 9568283. Ippolito's last recorded residence and business address is 9 Misty Court, South Hadley, MA 01075-1375; residence telephone number is 413-315-3300; business telephone number is 413-315-4469; and business e-mail address is [mikei@benefitpartnership.com](mailto:mikei@benefitpartnership.com).

### Administrative Action by Other State Insurance Regulator

Ippolito is subject to enforcement action pursuant to ORS 744.074(1)(i) because of the following circumstances. ORS 744.074(1)(i) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if another state insurance regulator canceled, revoked, suspended, or refused to renew, the person's license in that state as an insurance producer, adjuster or consultant. On 9/7/11, Transamerica Life Insurance Company (Transamerica), on behalf of itself and affiliates, and sent a letter dated 9/7/11 to Ippolito terminating their appointment of Ippolito because:

[b]ased on our investigation, we have uncovered evidence indicating that you misrepresented the nature of certain business you submitted to us. This constitutes a breach of your Transamerica Worksite Marketing Appointment Contract. Accordingly, you are hereby notified that Transamerica is terminating the contract of The Benefit Partnership for cause, and we will notify state insurance departments of this fact as required.

On 9/23/11, the director received from Transamerica a letter dated 9/21/11 saying:

The SIU team of Transamerica Worksite Marketing, a division of Transamerica Life Insurance Company (TLIC), conducted a review of business submitted by Michael Ippolito involving the International Communion of The Holy Christian Orthodox Church (IHCOC), Life Transformation Ministries International, 4Him Ministries, and Premier Debt Solutions. It was determined that Mr. Ippolito misrepresented the nature of the business he had submitted to TLIC, and Ippolito falsely verified the presence of a licensed agent at the time of enrollments. TLIC quickly received numerous complaints from

supposed insureds, some of which indicated they had not applied for the coverage. TLIC never received any premiums, it terminated the group master policy issued to ICHCOC, and it sent 'not taken' letters to all applicants. TLIC also rejected a group application submitted by Ippolito for Premier Debt Solutions.”

According to the records of the National Association of Insurance Commissioners (NAIC) as of 7/2/13, the state insurance regulators of the following 19 states revoked Ippolito's insurance producer license in their respective state.

<u>Date</u>	<u>State</u>	<u>Case No.</u>	<u>Action</u>
11/7/11	Kansas	4378-SO	License revoked eff. 11/29/11
2/7/12	Idaho	18-2730-12	License revoked & fined \$3,000
3/22/12	Connecticut	FC 12-24	License revoked
4/9/12	Arkansas	2012-271	License revoked
4/27/12	South Dakota	12-02	License revoked
7/11/12	California	LBB 7662-AP (AR)	License revoked
7/18/12	Vermont	12-011-I	License revoked
7/19/12	Kentucky	2012-0166	License revoked
8/9/12	South Carolina	12-3313	License revoked
8/16/12	Texas	12-0700	License revoked
7/18/12	Maine	INS-12-220	License revoked eff. 8/28/12
10/4/12	Indiana	10639-AG12-0426-031	License revoked
12/5/12	Nebraska	A-1960	License revoked
12/5/12	North Dakota	AG-12-380	License revoked
11/13/12	Delaware	127851	License revoked eff. 12/17/12 & fined \$2,500
2/10/13	Rhode Island	13IN001	License revoked
3/18/13	Washington	13-0095	License revoked eff. 4/12/13
5/10/13	Michigan	12-11623	License revoked
5/14/13	Nevada	12.0783	License revoked & fined \$500

Failed to Report Administrative Action by Other State Insurance Regulator

Ippolito is subject to enforcement action pursuant to ORS 744.074(1)(b) for violating ORS 744.089(1) because of the following circumstances.

ORS 744.074(1)(b) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person violates any insurance law, or violates any rule, subpoena, or order of the director or of the insurance regulator of another state or Mexico or Canada. ORS 744.089(1) requires a person who is licensed in Oregon as

an insurance producer to notify the director of any administrative action taken against the person by another state insurance regulator and provide a copy of the order within 30 days of the final disposition of the action. In each of the 19 administrative actions listed above, the action was finally disposed of but Ippolito did not notify the director of the action or provided a copy of the order.

#### Failed to Respond to Director's Inquiry

Ippolito is subject to enforcement action pursuant to ORS 744.074(1)(b) for violating ORS 731.296 because of the following circumstances. ORS 744.074(1)(b) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person violates any insurance law, or violates any rule, subpoena, or order of the director or of the insurance regulator of another state or Mexico or Canada. ORS 731.296 requires a person who is licensed in Oregon in any capacity under the Insurance Code to promptly and truthfully respond to an inquiry from the director. On 10/15/12, the director mailed by certified mail a letter dated 10/15/12 to Ippolito to his last recorded residence and business address of 9 Misty Court, South Hadley, MA 01075-1375, and also to 185 Spring Street, Springfield, MA 01105-1131. The letter requested Ippolito to provide to the director by 11/5/12 certain information about some of the administrative actions listed above. Ippolito did not provide the information or otherwise respond to the letter.

#### **Order**

Pursuant to ORS 744.074(1), Ippolito's expired Oregon nonresident individual insurance producer license is revoked on the date of this order.

#### **Notice of Right to Judicial Review**

A party has the right to judicial review of this order pursuant to ORS 183.480 and ORS 183.482. A party may request judicial review by sending a petition for judicial review to the Oregon Court of Appeals. The court must receive the petition within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the date the party received the order. If the order was mailed to a party, then the date of service is the

date the order was mailed to the party, not the date the party received the order. If a party files a petition, the party is requested to also send a copy of the petition to the Insurance Division by delivering it to the Labor and Industries Building, 350 Winter Street NE Room 300, Salem, Oregon 97301-3880; or mailing it to PO Box 14480, Salem, OR 97309-0405; or faxing it to 503-378-4351; or e-mailing it to [mitchel.d.curzon@state.or.us](mailto:mitchel.d.curzon@state.or.us).

Dated AUG 21 2013

  
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Laura N. Cali, FCAS, MAAA  
Insurance Commissioner and Chief Actuary

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**STATE OF OREGON  
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES  
INSURANCE DIVISION**

In the Matter of **Michael P. Ippolito**

) **CERTIFICATE of**  
) **SERVICE of**  
) **FINAL ORDER**  
) Case No. INS 13-07-001

I certify that I sent the final order to the following person(s) on the date and by the means indicated below:

Michael P. Ippolito  
9 Misty Court  
South Hadley, MA 01075-1375

✓ US First Class Mail

Dated   AUG 21 2013  

  
Mitchel D. Curzon  
Chief Enforcement Officer

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