



**WHEREAS**, the Department has determined that Respondent has violated 8 V.S.A §4804 (8)(A)(i), which prohibits a licensee from soliciting the purchase of health insurance in Vermont through an advertisement which makes use directly or indirectly of any method of marketing which fails to disclose in a conspicuous manner that a purpose of the method of marketing is solicitation of insurance; and

**WHEREAS**, Respondent has been made aware that the Department will proceed with an administrative action against her for violating the insurance laws of the State of Vermont; and

**WHEREAS**, Respondent wishes to resolve this matter by entering into a stipulation and consent order with the Department on the terms and conditions hereinafter set forth in lieu of proceeding with a hearing.

**NOW THEREFORE**, in consideration of the mutual covenants contained herein, the Department and Respondent stipulate and agree as follows:

1. Respondent shall pay an administrative penalty of Two Hundred Fifty Dollars (\$250.00), One Hundred Twenty Five Dollars (\$125.00) of which shall be suspended. The unsuspended amount (\$125.00) shall be payable within ten (10) days of the signing of this order.
2. Respondent shall pay the costs of the Department's investigation of Respondent pursuant to 8 V.S.A. §18 in the amount of Two Hundred Seven Dollars (\$207.00) due within ten (10) days of the signing of this order.
3. The Department may impose all or part of the suspended portion of the administrative penalty if: (1) the Department determines, with sufficient facts to support that determination, and after written notice to Respondent, that

Respondent is not in compliance with the terms and conditions of this Consent Order and (2) Respondent has exhausted or waived all procedural and/or substantive rights and defenses she may have to the imposition of all or part of the suspended portion of the administrative penalty. This paragraph shall not, in any way, limit the Department's authority to impose, in addition to the imposition of all or part of the suspended portion of the administrative penalty, a fine or administrative penalty or any other enforcement remedies for violation of any Vermont statute, regulation, rule or law not specifically set forth herein.

4. The suspended portion of the administrative penalty shall remain pending and may be imposed against Respondent until July 1, 2012.
5. Respondent shall cease and desist from soliciting the purchase of health insurance in Vermont through any advertisement which makes use directly or indirectly of any method of marketing which fails to disclose in a conspicuous manner that a purpose of the method of marketing is solicitation of insurance, and that contact will be made by an insurance agent or insurance company.
6. Respondent hereby waives her statutory right to notice and a hearing before the Commissioner of the Department, or his designated appointee.
7. Respondent acknowledges and agrees that this stipulation is entered into freely and voluntarily and that except as set forth herein, no promise was made to induce the Respondent to enter into it and she understands all terms and obligations contained herein. Respondent acknowledges that she has been informed of her right to consult with counsel in this matter.

8. Respondent consents to the entry of this Order and agrees to be fully bound by its terms and conditions. Respondent acknowledges that noncompliance with any of the terms of this Order may constitute a separate violation of the insurance laws of the State of Vermont and may subject her to sanctions under the provisions of 8 V.S.A. §4804.

STATE OF Vermont  
COUNTY OF Colchester

Karianne Scott  
Karianne Scott

Sworn to and subscribed before this  
The 16 day of July, 2010

[Signature]  
NOTARY PUBLIC

My Commission Expires: 2/10/11

Accepted by: [Signature]  
Kenneth McGuckin  
Acting Deputy Commissioner,  
Insurance Division, Vermont Department  
of Banking, Insurance, Securities  
and Health Care Administration

Date: 7/19/10

**ORDER**

**IT IS HEREBY ORDERED:**

- A. Respondent, Karianne Scott, shall comply with all agreements, stipulations, and undertakings as recited above.
  
- B. Nothing contained in this Order shall restrain or limit the Department in responding and addressing any consumer complaint about Respondent filed with the Department or shall preclude the Department from pursuing any other violation of law.

Dated at Montpelier, Vermont this 19<sup>th</sup> day of July 2010

  
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MICHAEL S. BERTRAND, Commissioner  
Vermont Department of Banking, Insurance, Securities  
and Health Care Administration