STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT

In Re: Michael F. Bachand
Docket No.: Ins. No. 21-008-EP

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department

("NHID") and Michael F. Bachand ("Respondent"), the terms of which are as follows:

FINDINGS OF FACT

1.   Respondent has a resident New Hampshire insurance producer license, with a mailing

address listed as PO Box 192 Dover, NH 03821, an email address listed as

mbachand@healthmarkets.com, and a resident address listed as 49 Piscataqua Road,

Dover, NH 03820.

2.   Since at least 2018, Respondent's child support obligation has been in arrears.

3.   On or about July 23, 2018 Respondent secured his Florida non-resident insurance

producer license.

4.   In August 2018, Respondent moved from Dover, New Hampshire to Haines City,

Florida.

5.   Respondent did not inform the NHID of his move from New Hampshire to Florida.

6.   Respondent did not obtain a resident Florida license and a non-resident New Hampshire

license when he moved to Florida in August 2018.

7.   On or about October 31, 2019, Respondent completed an application to renew his New

Hampshire resident insurance producer license. In that application, he indicated he lived

and worked in Dover, New Hampshire.

8. In addition, on that 2019 renewal application, Respondent answered "No" to question 3 inquiring about child support in arrearage not previously reported to the Department.

9. Since 2018, though living in Florida, Respondent has continued to write insurance for New Hampshire customers under his New Hampshire resident producer license. During that time, he has held himself out as a New Hampshire resident through his licensure and online presence.

CONCLUSIONS OF LAW

10. Based on the foregoing Findings of Fact and the applicable provisions of law, the NHID concludes and finds the following Conclusions of Law:

    a. Respondent is subject to the jurisdiction of the NHID; and

    b. Respondent violated NH RSA 402-J:8, II by failing to tell the NHID of his move to Florida; and

    c. Respondent violated NH RSA 402-J:6 by writing insurance for New Hampshire customers on his New Hampshire resident license while residing in Florida; and

    d. Respondent violated NH RSA 402-J:12, I (a), by providing incorrect, misleading, incomplete, or materially untrue information in his license renewal application when he indicated he resided in New Hampshire and did not disclose the child support arrearage; and

    e. Respondent violated NH RSA 402-J:12, I (c) by obtaining or attempting to obtain a license through misrepresentation or fraud when he indicated he resided in New Hampshire and did not disclose the child support arrearage; and

f. Respondent violated NH RSA 402-J:12, I (m) by failing to comply with an administrative or court order imposing a child support obligation; and

g. Respondent violated NH RSA 402-J:12, I (h) by using fraudulent, coercive, or dishonest practices by holding himself out as a New Hampshire resident producer to consumers when he was not.

ORDER

WHEREFORE, the NHID orders and Respondent consents to the following:

a. Respondent waives all rights to a formal administrative hearing in this matter and agrees that this Consent Order shall have the full force and effect of an Order fully entered in accordance with the adjudicatory procedure provided for in RSA Chapter 541-A and Ins Part 200.

b. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to a revocation of his New Hampshire insurance producer license. The revocation of Respondent's New Hampshire insurance producer license will become effective 30 days after the date of the execution of this consent order. Respondent may submit an application for a non-resident New Hampshire insurance producer license once he has secured a resident license in Florida (or some other state should he reside there).

c. For the purposes of resolving this matter without a formal administrative hearing, Respondent agrees to a $5,000 administrative penalty.

d. $4,500 of the administrative penalty is suspended for a period of two years from the date of the execution of this consent order.

e. The remainder $500 of the administrative penalty is due upon execution of this Consent Order, to be made payable to "Treasurer, State of New Hampshire," and mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, New Hampshire 03301.

f. In the event that Respondent fails to meet any of the terms set forth in this section, the NHID may institute further administrative proceedings under the authority of RSA 400-A:15, III or any other applicable law, and/or impose the suspended $4,500 administrative penalty.

g. By entering into this Consent Order, the NHID and Respondent intend to fully resolve all issues relating to the above-mentioned matters. This Consent Order shall be deemed a complete settlement and full and final resolution and is in lieu of any other action(s) that has and could have been brought by the NHID relating to these matters. Provided however, notwithstanding the foregoing, the NHID may take any and all appropriate actions should Respondent violate any provision of the State's insurance laws in the future, including imposition of the suspended $4,500 administrative penalty.

h. This Consent Order shall be fully enforceable in any Superior Court in the State of New Hampshire, and any actions to enforce this Consent Order shall be governed by the laws of the State of New Hampshire.

i. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. Respondent must, in the future, answer "YES" to any question which asks "have you ever been named

or involved as party in an administrative proceeding" or any substantially similar question.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 3/16/2021

Christopher Nicolopoulos, Commissioner

Date: 3/9/2021

Michael F. Bachand, Respondent