

**STATE OF NEW HAMPSHIRE
INSURANCE DEPARTMENT**

NHINS

81

**In Re: Stephen A Graham
Docket No.: Ins. No. 22-052-EP**

APR 17 2023

CONSENT ORDER

This Consent Order is made between the New Hampshire Insurance Department (“NHID”) and Stephen A Graham (“Respondent”), the terms of which are as follows:

FINDINGS OF FACT

1. Respondent is a New Hampshire domiciled insurance producer with a National Producer Number of 10677524 who has been licensed since 2008. He is currently licensed for the following lines of authority: variable life and variable annuity; life, accident and health or sickness.

2. From 2019 to 2021, Respondent and/or his staff used a form to gather client information with questions that did not track verbatim the language used in life insurance applications.

3. Respondent was cooperative with the NHID’s investigation into this matter.

CONCLUSIONS OF LAW

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;
- b. Respondent violated NH RSA 402-J:12(b) when he and/or his staff used a form to gather client information with questions that did not track verbatim the language used in life insurance applications.

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 the following:

- i. An administrative penalty of \$10,000, with \$7,500 of that suspended for a period of two years. The \$2,500 of imposed penalty is due upon execution of this consent order and must be paid by a check made payable to "Treasurer, State of New Hampshire," and should be mailed to the attention of Sarah Prescott, New Hampshire Insurance Department, 21 South Fruit Street, Suite 14, Concord, NH 03301. The remaining suspended \$7,500 only becomes due if the New Hampshire Insurance Department finds that Respondent violated an Insurance Law or Rule within 2-years of the execution of this Order; and
- ii. to appear as a witness and testify for the NHID, if necessary, at any hearing held to adjudicate the misconduct of any persons affiliated with his employer at the time of his employment.

c. 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, including pursuing substantial administrative fines.

d. By entering into this Consent Order, the NHID and the 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. Notwithstanding the foregoing, the NHID may take any and all appropriate actions should the Respondent violate any provision of the State's insurance laws in the future.

e. 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.

f. This Consent Order is considered a public regulatory action and will be reported to the National Association of Insurance Commissioners. The 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.

g. This Consent Order is not intended to subject Respondent to any statutory disqualifications set forth in (a) the federal securities laws or regulations promulgated thereunder, (b) the rules and regulations of any self-regulatory organizations, or (c) various states' securities laws, including but not limited to any disqualifications from relying on exemptions from registration or associated safe harbor provisions. The NHID confirms that disqualification should not arise, and is not intended to arise, as a consequence of this Consent Order.

IT IS SO ORDERED.

NEW HAMPSHIRE INSURANCE DEPARTMENT

Date: 4-18-23



Christopher Nicolopoulos, Commissioner

Date: 3/9/23



Stephen A Graham, Respondent