

**BEFORE THE MISSISSIPPI INSURANCE DEPARTMENT
FOR THE STATE OF MISSISSIPPI**

**IN RE: FREDRICK O’NEAL ADAMS, SR.
 Resident Insurance Producer
 License No. 407850**

FINAL ADMINISTRATIVE ORDER

THIS MATTER came on for hearing before the Commissioner of Insurance for the State of Mississippi (“Commissioner”), by and through his specially designated appointee, the Hon. Kim Causey (hereinafter “Hearing Officer”), via teleconference on Tuesday, August 24, 2021, at 10:00 a.m. CST, pursuant to the Amended Notice of Hearing dated July 23, 2021.

Having received notice of the hearing, the Respondent, Fredrick Adams, appeared via telephone and participated in the hearing. The Respondent expressed that he understood his right to be represented by an attorney, but choose not to retain an attorney, and further expressed that he understood the allegations in the Notice of Hearing and Statement of Charges, and that he was ready to proceed with the hearing.

Senior Attorney Phillips Strickland represented the Mississippi Insurance Department (“MID”) at the hearing. The State introduced several items of documentary evidence and called three witnesses, UnitedHealthCare Investigator Christopher Hansen, UnitedHealthCare Investigator Philip Gjertson, and MID Investigator Sharon Womack. The Respondent also testified at the hearing. Based upon the documentary evidence and testimony, and upon the recommendation given by the Hearing Officer, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

I. AUTHORITY

Miss. Code. § 83-17-71(1) (Supp. 2020) states that the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation. *Miss. Code. § 83-17-71(1)(h) (Supp. 2020)* prohibits using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. *Miss. Code. § 83-17-71(1)(j) (Supp. 2020)* prohibits forging another's name to an application for insurance or to any document related to an insurance transaction. It is alleged in the Notice of Hearing and Statement of Charges that the Respondent committed six (6) separate violations of *Miss. Code. § 83-17-71(1)(h) and (j)*.

II. FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, using the standard of proof of "clear and convincing evidence", the Commissioner of Insurance makes the following Findings of Fact:

(1) On or about July 23, 2021, the Commissioner, through his attorney, gave the required notice to the Respondent of the intention to hold a hearing for the purpose of reviewing the status of Respondent's Resident Insurance Producer license in the State of Mississippi, and to potentially revoke any current license the Respondent may hold and/or to impose a civil penalty. (State's Exhibit S-1, Notice of Hearing)

(2) The Respondent received the Notice of Hearing, providing notice of an administrative hearing to be held on Tuesday, August 24, 2021 at 10:00 a.m. CST via teleconference pursuant to Miss. Admin. Code Title 19 (Dept. of Insurance), Part 1, Chapter 44 (Administrative Hearing Procedures Specific to COVID-19).

(3) On June 5, 2019 a letter was sent to MID stating that Respondent's appointment with UnitedHealthCare ("UHC") as an insurance producer was terminated for cause on June 3, 2019 for violations of UHC agent conduct policies, including egregious and fraudulent conduct, evasive behavior during investigation, and unsolicited customer contact. (S-2), (S-3), (Testimony of Chris Hansen)

(4) UHC Investigator Hansen wrote the investigative report found in State's Exhibit S-3 and as part of his investigation, reviewed all documents contained therein, and UHC Investigator Gjertson interviewed five of the six victims. (Hansen, Gjertson Testimony)

(5) In light of the facts found in the record taken together as a whole, the testimony of UHC Investigator Hansen was found credible. (S-3), (Hansen)

(6) In light of the facts found in the record taken together as a whole, the testimony of UHC Investigator Gjertson was found credible. (S-3), (Gjertson)

(7) On or about April 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Susan" without her knowledge or consent by and by forging her signature on said application. (S-3), (S-4), (Hansen, Gjertson)

(8) On or about April 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Dorothy" without her knowledge or consent and by forging her signature on said application. (S-3), (S-5), (Hansen, Gjertson)

(9) On or about March 27, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Ernest" without his knowledge or consent and by forging his signature on said application. (S-3), (S-6), (Hansen, Gjertson)

(10) On or about March 26, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Gay" without their knowledge or consent and by forging their signature on said application. (S-3), (S-7), (Hansen, Gjertson)

(11) On or about March 25, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Michael” without his knowledge or consent and by forging his signature on said application. (S-3), (S-8), (Hansen, Gjertson)

(12) On or about April 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Joann” without her knowledge or consent and by forging her signature on said application. (S-3), (S-9), (Hansen, Gjertson)

(13) Victim Joann passed away on March 22, 2019 did not sign the application for insurance found in States Exhibit S-9. The application shows an applicant signature date of April 1, 2019 which was eight days after her death. (S-3), (S-9), (Hansen, Gjertson)

(14) The Respondent, Fredrick Adams testified at hearing that he did not forge any signatures on any of the applications at issue, however his testimony was not found credible. Respondent provided no reasonable explanation why so many of his supposed clients expressed that they had no knowledge of and had not consented to the submission of the applications on their behalf. The most logical explanation is that Respondent submitted the applications without consulting them, and forged their signatures in the process, either by his own hand or through complicity with another actor. The evidence clearly and convincingly establishes these findings.

III. CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance for the State of Mississippi finds that Respondent, Fredrick O’Neal Adams, Sr., has committed the following violations:

Respondent has committed six violations of the provisions of *Miss. Code. § 83-17-71(1)(h) and (j) (Supp. 2020)* by using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of

business in this state, and by forging another's name to an application for insurance or to any document related to an insurance transaction.

IV. JUDGMENT

IT IS, THEREFORE, ORDERED that the CHARGES set forth in the Notice of Hearing and Statement of Charges alleging six (6) separate violations of *Miss. Code. § 83-17-71(1)(h) and (j) (Supp. 2020)* are hereby **SUSTAINED**.

IT IS ORDERED, that the privilege license of Respondent, Fredrick O'Neal Adams, Sr., having license no. 407850, to act as a Resident Insurance Producer in the State of Mississippi, should be and hereby is **REVOKED**, effective immediately.

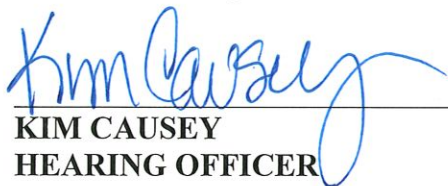
It is noted that should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in § 83-17-83 of the *Mississippi Code of 1972, as Amended*.

SO ORDERED, this the 2nd day of September, 2021.



MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Recommended by:



KIM CAUSEY
HEARING OFFICER