

STATE OF ALASKA
DEPARTMENT OF COMMUNITY AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
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STATE OF ALASKA

DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

In the Matter of:)
)
MICHELLE RIX-MATHEWS,)
)
 Licensee.)
_____)

Case No. D 01-15

STIPULATED AGREEMENT AND ORDER

The Division of Insurance (division) and Michelle Rix-Mathews (Ms. Rix-Mathews), stipulate and agree to the following:

I. BACKGROUND

A. On or about May 13, 1996, the division issued an individual in a firm insurance producer license to Ms. Rix-Mathews, under license number 14005. This license has subsequently been renewed and was due to expire on June 27, 2001.

B. Upon a complaint from an employee of AAA Alaska Insurance Company, the division initiated an investigation of Ms. Rix-Mathews. On or about May 10, 2001, Ms. Rix-Mathews went to AAA Alaska Insurance Company to purchase an insurance policy for her sister, Bonita Rix.

C. Ms. Rix-Mathews admitted to a division investigator that she had impersonated her sister, Bonita, and applied for an auto insurance policy for her sister. Ms. Rix-Mathews signed her sister's name to the application on two separate forms. Ms. Rix-Mathews related to the investigator that she had done so at the request of her sister, Bonita,

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because Bonita's insurance was due to expire, AAA had competitive rates, and it was difficult for Bonita to leave work as she was extremely busy and only had a half-hour for lunch. With the exception of the signatures on the application, all the information was accurate and Ms. Rix-Mathews stated that she had no intention of providing any false information or making a fraudulent claim.

D. Ms. Rix-Mathews apologized to the division's investigator and acknowledged that she shouldn't have done it. She also stated she meant no harm and was just trying to help her sister.

E. The director has fully reviewed the circumstances regarding Ms. Rix-Mathews' behavior.

II. TERMS OF AGREEMENT

1. Pursuant to AS 21.27.420, the division will suspend Ms. Rix-Mathews' insurance producer license for 30 days from the date the director signs the order approving this agreement.

2. Once the 30-day suspension is completed, the division will reinstate license number 14005 to Ms. Rix-Mathews subject to the following conditions:

a. Within twelve months of the date of license reinstatement, Ms. Rix-Mathews will successfully complete a course in professional ethics in insurance that has been approved in advance by the director or his designee and provide proof of that completion to the division.

b. Ms. Rix-Mathews will submit to the division quarterly sworn statements indicating that she has complied with the insurance code and applicable regulations.

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The statements should be in a form similar to the attached Exhibit A. These conditions will remain in effect for two years from the date the division reinstates Ms. Rix-Mathews' license

c. During the two-year period from the license reinstatement date, Ms. Rix-Mathews must provide her employer and, before commencing new employment, any new employer with a copy of this agreement.

d. Ms. Rix-Mathews agrees to pay a civil penalty under AS 21.27.440(a) in the amount on \$2,500 with \$1,500 suspended. The unsuspended portion of the penalty is due no later than one year from the date the director signs the order approving this agreement.

e. In the event Ms. Rix-Mathews violates the insurance code or applicable regulations during the next two years, the suspended portion of the civil penalty under d. of this paragraph will be reinstated. Ms. Rix-Mathews also will be subject to any and all sanctions authorized by the insurance code including imposition of additional fines or penalties.

3. By signing this agreement, Ms. Rix-Mathews understands and agrees that any failure to comply with the terms of this agreement may be grounds to revoke, further suspend, or non-renew Alaska insurance license number 14005.

4. Ms. Rix-Mathews understands that this agreement is not binding on the parties unless and until the director signs the order approving the agreement.

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DATED: 8/14/01

DIVISION OF INSURANCE

By: Linda Brunette
Linda Brunette
Licensing Supervisor

DATED: 8/14/01
Michelle Rix-Mathews
Michelle Rix-Mathews

Approved as to form and content:

DATED: 8/10/01
BRUCE M. BOTELHO
ATTORNEY GENERAL
By: Nathaniel B. Atwood
Nathaniel B. Atwood
Assistant Attorney General

ORDER

IT IS ORDERED that this Stipulated Agreement and Order is adopted in full resolution of the issues in this case, and shall constitute the final order in this matter.

DATED this 15th day of August, 2001.

Robert A. Lohr
Robert A. Lohr
Director