

**STATE OF MICHIGAN
DEPARTMENT OF INSURANCE AND FINANCIAL SERVICES**

Before the Director of the Department of Insurance and Financial Services

In the matter of:

JEFFREY M. TIBBS
System ID No. 0631001

ENFORCEMENT CASE NO. 13-11871

Respondent.

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Issued and entered
on July 1st, 2014
By **Teri L. Morante**
Chief Deputy Director

ORDER ACCEPTING STIPULATION

Based upon the Stipulation to Entry of Order and the files and records of the Department of Insurance and Financial Services (DIFS) in this matter, the Chief Deputy Director finds and concludes that:

1. Pursuant to Executive Order 2013-1, all authority, powers, duties, functions, and responsibilities of the Commissioner of the Office of Financial and Insurance Regulation (Commissioner) have been transferred to the Director of DIFS.
2. The Chief Deputy Director has jurisdiction and authority to adopt and issue this Order Accepting Stipulation in this proceeding pursuant to the Michigan Administrative Procedures Act of 1969 (APA), as amended, MCL 24.201 et seq., and the Michigan Insurance Code of 1956 (Code), MCL 500.100 et seq.
3. All required notices have been issued in this case, and the notices and service thereof were appropriate and lawful in all respects.
4. Acceptance of the Stipulation to Entry of Order is reasonable and in the public interest.
5. All applicable provisions of the APA have been met.
6. At all relevant times, Jeffrey Tibbs (hereinafter Respondent) was licensed as a resident producer in the State of Michigan, and his license is currently active.
7. On or about December 2, 2012, Respondent completed a Primerica Life Insurance Company (Primerica) pre-licensing course in order to qualify to take the State of Michigan licensing exam for the Life insurance line of authority.

8. On or about December 4, 2012, Respondent completed an ExamFx (DIFS examination vendor) pre-licensing course in order to qualify to take the State of Michigan licensing exam for the Life insurance line of authority.
9. On December 12, 2012, Respondent took and passed the State of Michigan life insurance producer examination.
10. On December 18, 2012, Respondent submitted a Michigan Individual Licensee Application (MILA) for a resident insurance producer license with the Life line of authority. The application was approved on December 21, 2012, and the license was issued.
11. On January 12, 2013, Respondent took and passed the State of Michigan licensing exam for the Accident & Health insurance producer line of authority.
12. On January 25, 2013, Respondent submitted a MILA for additional lines of authority in Accident & Health, Property and Casualty
13. As part of the check-in process, prior to taking the January 12 exam, Respondent had submitted to PSI Services, LLC (DIFS' examination vendor, hereinafter PSI), a pre-licensing course completion certificate certifying completion of the requisite courses for the Accident and Health line of authority. The certificate identified Primerica Life as the education provider and reflected a course completion date of December 2, 2012.
14. Alerted by a database notification that was triggered when PSI transferred the information from the pre-licensing course completion certificate to DIFS' database, DIFS' staff noted that Primerica does not offer a pre-licensing course for the Accident & Health line of authority.
15. On or about June 17, 2013, DIFS' staff obtained a copy of the pre-licensing course certificate that Respondent had submitted to PSI.
16. After reviewing the certificate, it was determined by DIFS' staff that Respondent had altered the certificate that he had received from Primerica at the completion of his pre-licensing course for the Life line of authority on December 2, 2012, to also reflect satisfaction of the requisite pre-licensing course for the Accident & Health line of authority.
17. DIFS' Staff subsequently contacted ExamFX and was informed that Respondent had not taken a pre-licensing course for the Accident and Health line of authority.
18. DIFS' staff then sent Respondent a "Candidate Response to Reported Conduct at Examination" letter of inquiry dated June 24, 2013.
19. On or about July 11, 2013, DIFS' staff received Respondent's response to the letter of inquiry. In his response, Respondent admitted to altering the pre-licensing course certificate in order to gain entry to the State of Michigan licensing exam for the Accident & Health insurance producer line of authority.

20. As a licensee, Respondent knew or had reason to know that Sections 1239(1)(c) and (h) of the Code, MCL 500.1239(1)(c) and (h) state that:

(1) In addition to any other powers under this act, the commissioner may place on probation, suspend, or revoke an insurance producer's license or may levy a civil fine under section 1244 or any combination of actions, and the commissioner shall refuse to issue a license under section 1205 or 1206a, for any 1 or more of the following causes:

(c) Obtaining or attempting to obtain a license through misrepresentation or fraud.

(h) Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

21. Respondent has provided justification for sanctions, pursuant to Section 1239(1)(c) of the Code, MCL 500.1239(1)(c), by producing an altered course completion certificate, which enabled him to take the accident & health licensing examination and subsequently obtain a Michigan insurance producer license without having actually completed the requisite accident and health pre-licensing courses.
22. Respondent has provided justification for sanctions, pursuant to Section 1239(1)(h) of the Code, MCL 500.1239(1)(h), by producing an altered course completion certificate, which enabled him to take the accident & health licensing examination and subsequently obtain a Michigan insurance producer license without having actually completed the accident and health pre-licensing courses, thus demonstrating untrustworthiness in the conduct of business.

Now therefore, based upon the Stipulation to Entry of Order and the facts surrounding this case, **IT IS ORDERED THAT:**

23. Respondent shall cease and desist from operating in a manner that violates the Code.
24. Respondent shall immediately surrender his Michigan resident insurance producer license.

25. The Chief Deputy Director retains jurisdiction over the matters contained herein and has the authority to issue such further order(s) as shall be deemed just, necessary, and appropriate in accordance with the Code. Failure to abide by the terms and provisions of the Stipulation to Entry of Order and this Order may result in the commencement of additional proceedings.



Teri L. Morante
Teri L. Morante
Chief Deputy Director