

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

No. 22A-063-INS

MEEKS, DAMONIQUE AISHA NIKOLE

DEFAULT ORDER

(National Producer No. 19957266)

Respondent

On January 4, 2022, the Arizona Department of Insurance and Financial Institutions (the "Department") issued a Notice of Hearing ("Notice") in the above-captioned matter, a copy of which is attached as **Exhibit A** and incorporated by this reference. The Notice required Damonique Aisha Nikole Meeks ("Respondent") to provide a written answer to the allegations set forth in the Notice within twenty days of the issuance of the Notice. As of this date, Respondent has failed to file an answer. On January 30, 2023, counsel for the Department filed a Motion for Default, a copy of which is attached as **Exhibit B**. As of this date, Respondent has not responded to the Department's motion. Pursuant to A.A.C. R20-6-106(D), a party that fails to file an answer within the time provided shall be deemed to be in default and one or more of the allegations in the Notice of Hearing may be deemed to be admitted.

FINDINGS OF FACT

1. Notice was proper.
2. Respondent is in default.
3. The allegations in the Notice are deemed admitted.

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CONCLUSIONS OF LAW

1. The conduct alleged in the Notice constitutes grounds for the Director to suspend, revoke or refuse to renew Respondent's license to transact insurance in Arizona, pursuant to A.R.S. §20-295(A).

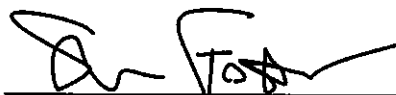
ORDER

IT IS ORDERED:

1. The insurance license held by Respondent Damonique Aisha Nikole Meeks is revoked effective upon the issuance of this Order.

2. The hearing set for **February 21, 2023 at 1:00 p.m.** shall be vacated.

DATED and EFFECTIVE this 15th day of February, 2023.



Shane Foster, Acting Director
Arizona Department of Insurance
and Financial Institutions

1 **COPY** of the foregoing electronically filed this
2 **15th** day of February, 2023 to:

3 Tammy Eigenheer, Administrative Law Judge
4 <https://portal.azoah.com/submission>
5 Office of Administrative Hearings

6 **COPY** of the foregoing emailed same date to:

7 Gio Espinosa, Regulatory Legal Affairs Officer
8 Deian Ousounov, Assistant Director
9 Ana Starcevic, Paralegal Project Specialist
10 Wendy Greenwood, Investigations Supervisor
11 Steven Fromholtz, Division Manager, Licensing
12 Arizona Department of Insurance and Financial Institutions

13 James Rolstead, Assistant Attorney General
14 AdminLaw@azag.gov
15 Attorney for the Arizona Department of Insurance and Financial Institutions

16 **COPY** mailed by Regular Mail and Certified Mail,
17 Returned Receipt requested, the same date to:

18 Damonique Aisha Nikole Meeks
19 3734 Bryant Ave. North
20 Minneapolis, MN 55412
21 *Respondent* 9489 0090 0027 6486 6700 85

22 **COPY** emailed the same date to:

23 Damonique Aisha Nikole Meeks
24 meeksdamonique96@gmail.com
Respondent

Ana Starcevic

109768

Exhibit A

1 The Office of Administrative Hearings has designated Tammy Eigenheer at the address
2 and phone number listed above, as the Administrative Law Judge for these proceedings.

3 Under the Americans with Disabilities Act (ADA), the Office of Administrative Hearings
4 endeavors to ensure the accessibility of its hearings to all persons with disabilities. Persons with
5 disabilities may request reasonable accommodations such as interpreters, alternative formats, or
6 assistance with physical accessibility. Requests for accommodations should be made as far in
7 advance of the Hearing as possible to allow time to arrange the accommodations. If you require
8 accommodations, please contact the Office of Administrative Hearings by calling their offices at
9 (602) 542-9826.

10 Under Arizona Administrative Code (“A.A.C.”) R2-19-106 and R2-19-110, motions to
11 continue this matter shall be made in writing to the Administrative Law Judge at least fifteen (15)
12 days before the Hearing date, unless good cause is demonstrated. A copy of any motion to
13 continue shall be filed and served according to A.A.C. R2-19-108, with a copy provided to the
14 Assistant Attorney General identified below.

15 You may appear on the date and at the time and place specified in this Notice of Hearing
16 (“Notice”) with or without the assistance of counsel. An insurance company may be represented
17 by a corporate officer A.R.S. § 20-161(B). Additionally, you have the right to present evidence
18 in response to the allegations in this Notice, to have a reasonable opportunity to inspect all
19 documentary evidence, to examine witnesses, to present evidence in support of your interests,
20 and to have subpoenas issued by the Administrative Law Judge to compel the attendance of
21 witnesses and the production of evidence. If you fail to appear at the administrative hearing (the
22 “Hearing”), the Administrative Law Judge can proceed with the Hearing and issue a

1 Recommended Decision. The Director of the Arizona Department of Insurance and Financial
2 Institutions (the "Director") can then consider the Recommended Decision and make a final
3 determination on this matter.

4 Under A.R.S. § 41-1092.07(E), a clear and accurate record of the proceedings will be
5 made by a court reporter or by electronic means. Any party that requests a transcript of the
6 proceedings shall pay the cost of the transcript for the court reporter or other transcriber.

7 **Under A.A.C. R20-6-106, within twenty (20) days after service of a Notice of Hearing,**
8 **the Respondent shall appear by filing a written Answer to the allegations in the Notice. The**
9 **Answer shall state Respondent's position or defense and shall specifically admit or deny**
10 **each assertion in the Notice. Any allegation not denied shall be deemed admitted. Any**
11 **defense not raised will be considered waived. If a timely Answer is not filed, Respondent**
12 **may be deemed in default and the Director may deem the allegations in the Notice as true**
13 **and admitted. Accordingly, the Director may take whatever action is deemed appropriate.**

14 Pursuant to A.R.S. § 41-1092.06, the Respondent has the right to request an informal
15 settlement conference ("ISC") by filing a written request with the Arizona Department of
16 Insurance and Financial Institutions (the "Department") no later than **twenty (20) days** before
17 the scheduled hearing. The ISC will be held within **fifteen (15) days** after receiving the request.
18 If an ISC is requested, a person with the authority to act on behalf of the Department will be
19 present.

20 Please note that in requesting an ISC, Respondent waives any right to object to the
21 participation of the Department's representative in the final administrative decision of this matter.
22 Any statements, either written or oral, made by the Department, Respondent, or their

1 representatives at an ISC, including a written document created or expressed solely for the
2 purpose of settlement negotiations, are inadmissible in any subsequent administrative hearing.
3 *See* A.R.S. § 41-1092.06.

4 Questions concerning issues raised in this Notice of Hearing should be directed to
5 Assistant Attorney General James Rolstead, 2005 N. Central Ave., Phoenix, Arizona 85004,
6 telephone number (602) 542-7720 or by e-mail at James.Rolstead@azag.gov.

7 The purpose of the Hearing is to determine whether grounds exist to revoke Respondent's
8 insurance producer license. In support of its position that grounds exist, the Department alleges
9 the following:

10 **PARTIES & JURISDICTION**

11 1. The Department was created and enabled to administer certain laws of the State of
12 Arizona by protecting the public interest through licensure and regulation of the insurance
13 producer profession in this state. A.R.S. § 20-142 and A.R.S. §§ 20-281 *et seq.*

14 2. Damonique Aisha Nikole Meeks ("Meeks" or "Respondent") is licensed in Arizona
15 as a non-resident insurance producer, National Producer Number 19957266.

16 3. The Office of Administrative Hearings has subject matter and personal jurisdiction
17 over the named parties in this Notice of Hearing, under A.R.S. § 20-161 and A.R.S. §§ 41-1092
18 *et seq.*

19 **FACTS**

20 4. Meeks was at all material times licensed in Arizona as a non-resident insurance
21 producer, National Producer Number 19957266, with a line of authority in accident and health
22

1 or sickness insurance. The Department licensed Meeks on January 14, 2022 and her license is
2 scheduled to expire on August 31, 2025. Meeks' home state is Minnesota.

3 5. Meeks' addresses of record with the Department are: 3734 Bryant Ave. North,
4 Minneapolis, MN 55412 (business and mailing); and meeksdamonique96@gmail.com (e-mail).

5 6. On August 5, 2022, Devoted Health Plans ("Devoted") notified the Department
6 that it had terminated its appointment of Meeks for cause, effective August 4, 2022.

7 7. Devoted stated in their Termination for Cause Notification ("Complaint") that
8 GoHealth, a health insurance agency for Medicare plans that Meeks had been employed with,
9 terminated Meeks for enrolling a beneficiary in a plan without their consent. The beneficiary
10 was an Arizona consumer.

11 8. On September 2, 2022, GoHealth sent the Department a letter in response to a
12 request from the Department for information regarding the Complaint.

13 9. GoHealth's letter stated that upon reviewing recordings and investigating the
14 allegation against Meeks, "we were able to confidently conclude the agent [Meeks] did not
15 compliantly enroll the customer according to GoHealth's code of conduct."

16 10. GoHealth terminated Meeks' employment on May 26, 2022.

17 11. On August 10, 2022, the Department sent an email to Meeks informing her of
18 Devoted's Complaint and requesting a response by August 31, 2022. Meeks did not respond to
19 the email.

20 12. On October 17, 2022, the Department sent a letter to Meeks via certified mail, again
21 requesting a response to the Complaint. The letter was unclaimed and returned to the Department.

1 **ORIGINAL** of the foregoing filed electronically
this 4th day of January, 2023, to:

2 Tammy Eigenheer, Administrative Law Judge
3 <https://portal.azoah.com/submission>
4 Office of Administrative Hearings

5 **COPY** of the foregoing delivered
this 4th day of January, 2023, to:

6 Gio Espinosa, Regulatory Legal Affairs Officer
Deian Ousounov, Assistant Director
7 Ana Starcevic, Paralegal Project Specialist
Steven Fromholtz, Licensing Division Manager
8 Wendy Greenwood, Investigations Supervisor
Arizona Department of Insurance and Financial Institutions
9 100 North 15th Avenue, Suite 261
Phoenix, Arizona 85007

10 **COPY** mailed this 4th day of January, 2023,
11 Regular Mail and Certified Mail, Return Receipt Requested, to:
12 (Receipt No. _____ 9489 0090 0027 6486 6712 80 _____)

13 Damonique Aisha Nikole Meeks
3734 Bryant Ave. North
14 Minneapolis, MN 55412
Respondent

15 **COPY** sent via electronic mail
this 4th day of January, 2023, to:

16 Damonique Aisha Nikole Meeks
17 Meeksdamonique96@gmail.com
Respondent

18 James Rolstead, Assistant Attorney General
19 James.Rolstead@azag.gov
AdminLaw@azag.gov
20 *Attorney for the Department*

21 Ana Starcevic
10883415

Exhibit B

1 KRISTIN K. MAYES
Attorney General
2 Firm Bar No. 14000

3 James Rolstead
State Bar No. 025723
4 Assistant Attorney General
Public Law Section
5 2005 N. Central Ave.
Phoenix, Arizona 85004
6 Telephone: (602) 542-7720
7 Facsimile: (602) 542-4385
E-mail: James.Rolstead@azag.gov
8 Attorney for the Arizona Department of Insurance
and Financial Institutions
9

10 STATE OF ARIZONA

11 DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

12 In the Matter of:

No. 22A-063-INS

13 **MEEKS, DAMONIQUE AISHA**
14 **NIKOLE**
(National Producer No. 19957266)

MOTION FOR DEFAULT

15
16 Respondent

17 The Arizona Department of Insurance and Financial Institutions (the “Department”),
18 by and through undersigned counsel, hereby requests that the Findings of Fact and
19 Conclusions of Law set forth in the Notice of Hearing and incorporated herein by reference
20 be entered in this matter, deeming Damonique Aisha Nikole Meeks (“Meeks”) in default,
21 deeming the allegations set forth in the Notice as true, and ordering that Respondent’s
22 insurance license be revoked.
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24 On January 4, 2023, a Notice of Hearing and Complaint (“Notice”) was filed in this
25 matter and served upon Meeks at her mailing address of record via regular mail and certified
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1 mail pursuant to A.R.S. § 41-1092.04. The Notice was also sent to Meeks via her e-mail
2 address of record.

3 Meeks had twenty (20) days from the date of issuance of the Notice to file a written
4 answer to the allegations contained therein pursuant to Arizona Administrative Code
5 (“A.A.C”) R20-6-106. As of the date of this Motion, Meeks has not filed an answer nor has
6 she appeared through counsel. Rule 20-6-106(D) of the Arizona Administrative Code
7 provides that if an answer is not timely filed, the Respondent shall be deemed in default and
8 the Director may deem the allegations set forth in the Notice of Hearing as true and take
9 whatever action is appropriate including revoking the license.
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11 The allegations supporting the Notice of Hearing are as follows:

12 1. Meeks was at all material times licensed in Arizona as a non-resident
13 insurance producer, National Producer Number 19957266, with a line of authority in
14 accident and health or sickness insurance. The Department licensed Meeks on January 14,
15 2022 and her license is scheduled to expire on August 31, 2025. Meeks’ home state is
16 Minnesota.
17

18 2. Meeks’ addresses of record with the Department are: 3734 Bryant Ave. North,
19 Minneapolis, MN 55412 (business and mailing); and meeksdamonique96@gmail.com (e-
20 mail).
21

22 3. On August 5, 2022, Devoted Health Plans (“Devoted”) notified the
23 Department that it had terminated its appointment of Meeks for cause, effective August 4,
24 2022.
25
26

1 4. Devoted stated in their Termination for Cause Notification (“Complaint”) that
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3 with, terminated Meeks for enrolling a beneficiary in a plan without their consent. The
4 beneficiary was an Arizona consumer.

5 5. On September 2, 2022, GoHealth sent the Department a letter in response to a
6 request from the Department for information regarding the Complaint.

7 6. GoHealth’s letter stated that upon reviewing recordings and investigating the
8 allegation against Meeks, “we were able to confidently conclude the agent [Meeks] did not
9 compliantly enroll the customer according to GoHealth’s code of conduct.”

10 7. GoHealth terminated Meeks’ employment on May 26, 2022.

11 8. On August 10, 2022, the Department sent an email to Meeks informing her of
12 Devoted’s Complaint and requesting a response by August 31, 2022. Meeks did not
13 respond to the email.
14

15 9. On October 17, 2022, the Department sent a letter to Meeks via certified mail,
16 again requesting a response to the Complaint. The letter was unclaimed and returned to the
17 Department.
18

19 10. On October 25, 2022, Department Investigator Wendy Greenwood
20 (“Greenwood”) attempted to contact Meeks by phone. Greenwood stated that the phone
21 rang three times and then the line went dead.
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23 11. A review of the National Association of Insurance Commissioners’ state
24 licensing report on November 2, 2022, shows that Meeks’ license in her resident state of
25 Minnesota expired on August 31, 2022 and is no longer in good standing.
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CONCLUSIONS OF LAW

12. The Director has jurisdiction over this matter.

13. Respondent's conduct, as described above, constitutes failing to maintain a license in good standing in the person's home state, within the meaning of A.R.S. § 20-287(A)(1).

14. Respondent's conduct, as described above, constitutes violating any provision of Title 20 or any rule, subpoena or order of the Director, within the meaning of A.R.S. § 20-295(A)(2).

15. Respondent's conduct, as described above, constitutes using fraudulent, coercive or dishonest practices, or demonstrating untrustworthiness in the conduct of business in this state or elsewhere, within the meaning of A.R.S. § 20-295(A)(8).

16. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, pursuant to A.R.S. §§ 20-287(A)(1), 20-295(A)(2) and (A)(8).

Based upon the foregoing, the Department respectfully requests that the allegations set forth in the January 4, 2023 Notice of Hearing and Complaint be deemed admitted and that Respondent's insurance license be revoked.

RESPECTFULLY SUBMITTED this 30th day of January, 2023.

KRISTIN K. MAYES, Attorney General

By /s/ James Rolstead

James Rolstead, Assistant Attorney General
Attorney for the Arizona Department of Insurance
and Financial Institutions

1 **COPY** of the foregoing electronically filed this
2 30th day of January, 2023 with:

3 Gio Espinosa, Regulatory Legal Affairs Officer
4 Deian Ousounov, Assistant Director
5 Ana Starcevic, Paralegal Project Specialist
6 Steven Fromholtz, Division Manager, Licensing
7 Arizona Department of Insurance and Financial Institutions

8 **COPY** mailed and emailed same date to:

9 Damonique Aisha Nikole Meeks
10 3734 Bryant Ave. North
11 Minneapolis, MN 55412
12 Email: Meeksdamonique96@gmail.com
13 *Respondent*

14 /s/ S. Hack
15 10976599