

IN THE MATTER OF THE  
MARYLAND INSURANCE  
ADMINISTRATION

v.

ROSSLYN BODRICK  
3953 CLAY STREET, NE  
WASHINGTON, DC 20019

\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*  
\*

BEFORE THE MARYLAND  
INSURANCE COMMISSIONER

CASE NO. : MIA- 2015-11-006

Fraud Division File No.: R-2015-3223A

\*\*\*\*\*

**ORDER**

This Order is entered by the Maryland Insurance Administration (“MIA”) against Rosslyn Bodrick (“Bodrick” or “Respondent”) pursuant to §§2-108, 2-201, 2-204 and 2-405 of the Insurance Article, Md. Code Ann. (2011 Repl. Vol. & Supp.)(“the Insurance Article”).

**I. Facts**

1. On November 7, 2014, Respondent was the passenger in a motor vehicle when it was involved in an accident. The vehicle was insured by the Maryland Automobile Insurance Fund (“MAIF”), an authorized insurer. The policy number was [REDACTED]. Consequently, Respondent reported to MAIF she had been injured. MAIF opened a Personal Injury Protection (“PIP”) claim to provide coverage for Respondent’s medical expenses and lost wages.

2. On November 20, 2014, Respondent faxed a lost wages claim form to MAIF. The lost wages form stated Respondent was injured in the November 7, 2014 motor vehicle accident, and as a result was unable to work from November 10, 2014 through December 12, 2014. The form specified Respondent worked forty hours a week for a McDonald’s restaurant in Washington, DC, and was paid \$16.75 per hour. The form appeared to be signed by a representative of the McDonald’s Corporation (hereinafter “McDonald’s”).

3. On February 12, 2015, a MAIF Claims Adjuster contacted a McDonald's manager to verify Respondent's lost wages claim. The manager reported Respondent was not employed by McDonald's during the time period specified on the lost wages form.

4. On February 15, 2015, the Claims Adjuster referred the matter to MAIF's Special Investigations Unit ("SIU") for further inquiry into Respondent's lost wages claim.

5. On February 19, 2015, Respondent's attorney provided MAIF with McDonald's pay subs issued to Respondent for the pay periods from October 6, 2014 through November 2, 2014. The pay stubs were submitted as evidence that Respondent had been employed by McDonald's.

6. On April 8, 2015, an SIU Investigator interviewed the manager of the McDonald's where Respondent reported she had worked at the time of the accident. The manager reviewed the lost wages form and advised that Respondent was not employed by McDonald's during the time period reflected on the form.

7. On April 23, 2015, MAIF denied Respondent's PIP claim due to material misrepresentation as she had submitted false information regarding her lost wages.

8. Section 27-802(a)(1) of the Maryland Insurance Article states, "An authorized insurer, its employees, or insurance producers, who in good faith have cause to believe that insurance fraud has been or is being committed, shall report the suspected insurance fraud in writing to the Commissioner, the Fraud Division, or the appropriate federal, State or local law enforcement authorities." MAIF, having a good faith belief that Respondent committed insurance fraud, referred the matter to the Maryland Insurance Administration, Fraud Division.

9. In the course of its investigation, MIA contacted MAIF and confirmed its handling of Respondent's claim.

10. On October 20, 2015, MIA interviewed the manager of the McDonald's restaurant where Respondent reported to MAIF she was employed at the time of the November 7, 2014 accident. The manager advised that Respondent had not been employed by the restaurant at that time.

11. On October 20, 2015, MIA contacted the human resources manager for the McDonald's restaurant reflected on Respondent's lost wages form. The manager reported that Respondent had not worked for McDonald's during the time specified on the lost wages form, and although Respondent had been previously employed by McDonald's, her last day was September 9, 2013.

12. On October 21, 2015, MIA interviewed Respondent who admitted she had not worked for McDonald's in 2014. Further, she confessed that the lost wages claim form as well as the pay stubs reflecting her employment with McDonald's in 2014 were false.

## II. Violation(s)

13. In addition to all relevant sections of the Insurance Article, the Administration relies on the following pertinent sections in finding that Respondent violated Maryland's insurance laws:

14. **§27-403**

It is a fraudulent insurance act for a person:

(2) to present or cause to be presented to an insurer documentation or an oral or written statement made in support of a claim...with knowledge that the documentation or statement contains false or misleading information about a matter material to the claim.

15. **§27-408(c)**

(1) In addition to any criminal penalties that may be imposed under this section, on a showing by clear and convincing evidence that a violation of this subtitle has occurred, the Commissioner may:

(i) impose an administrative penalty not exceeding \$25,000 for each act of insurance fraud; and

(2) In determining the amount of an administrative penalty, the Commissioner shall consider:

- (i) the nature, circumstances, extent, gravity, and number of violations;
- (ii) the degree of culpability of the violator;
- (iii) prior offenses and repeated violations of the violator; and
- (iv) any other matter that the Commissioner considers appropriate and relevant.

16. By the conduct described herein, Respondent knowingly violated §27-403. Because the fraudulent insurance act of submitting false documents in support of a claim is complete upon submission of the false documents and is not dependent on payment being made, Respondent committed a violation of the law when she submitted false documents to MAIF. As such, Respondent is subject to an administrative penalty under the Insurance Article §27-408(c).

### **III. Sanctions**

17. Insurance fraud is a serious violation which harms consumers in that the losses suffered by insurance companies are passed on to consumers in the form of higher premiums. The Commissioner may investigate any complaint that alleges a fraudulent claim has been submitted to an insurer. Insurance Article §§2-201(d) (1) and 2-405.

18. Respondent intentionally submitted a lost wages form and pay stubs to MAIF in support of her PIP claim. Having considered the factors set forth in §27-408(c)(2) and COMAR 31.02.04.02, MIA has determined that \$2,500.00 is an appropriate penalty.

19. Administrative penalties shall be made payable to the Maryland Insurance Administration and shall identify the case by number R-2015-3223A and name Rosslyn Bodrick. Unpaid penalties will be referred to the Central Collections Unit for collection. Payment of the administrative penalty shall be sent to the attention of: Associate Commissioner, Insurance Fraud Division, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202.

20. This Order does not preclude any potential or pending action by any other person, entity or government authority regarding any conduct by Respondent including the conduct that is the subject of this Order.

**WHEREFORE**, for the reasons set forth above, and subject to the right to request a hearing, it is this 13<sup>th</sup> day of November 2015, **ORDERED** that:

(1) Rosslyn Bodrick pay an administrative penalty of \$2,500.00 within 30 days of the date of this Order.

ALFRED W. REDMER, JR.  
Insurance Commissioner

**signature on original**

BY:

VICTORIA AUGUST  
Acting Associate Commissioner  
Insurance Fraud Division

### **RIGHT TO REQUEST A HEARING**

Pursuant to §2-210 of the Insurance Article and Code of Maryland Regulations (“COMAR”) 31.02.01.03, an aggrieved person may request a hearing on this Order. This request must be in writing and received by the Commissioner within thirty (30) days of the date of the letter accompanying this Order. However, pursuant to §2-212 of the Article, the Order shall be stayed pending a hearing only if a demand for hearing is received by the Commissioner within ten (10) days after the Order is issued. The written request for hearing must be addressed to the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202, Attn: Hearings and Appeals Coordinator. The request shall include the following information: (1) the action or non-action of the Commissioner causing the person requesting the hearing to be aggrieved; (2) the facts related to the incident or incidents about which the person requests the Commissioner to act or not act; and (3) the ultimate relief requested. The failure to request a hearing timely or to appear at a scheduled hearing will result in a waiver of your rights to contest this Order and the Order shall be final on its effective date. Please note that if a hearing is requested on this initial Order, the Commissioner may affirm, modify, or nullify an action taken or impose any penalty or remedy authorized by the Insurance Article against the Respondent in a Final Order after hearing.