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Counsel for the Commissioner of Securities and Insurance

**BEFORE THE COMMISSIONER OF SECURITIES AND INSURANCE,
OFFICE OF THE MONTANA STATE AUDITOR**

IN THE MATTER OF JEAN-LOUIS, TERVELENS, License No. 3002606731, NPN 19962751, AND PACECCA, JULIAN, License No. 3002723342, NPN 20845022 Respondent.	Case No. INS-2025-0000145 **NOTICE OF PROPOSED AGENCY ACTION AND OPPORTUNITY FOR HEARING**

TO:

TERVELENS JEAN-LOUIS
8359 DYNASTY DRIVE
BOCA RATON, FL 33433
tjean-louis@essentialhealthgroup.com

TERVELENS JEAN-LOUIS
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BOCA RATON, FL 33428
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and

JULIAN PACECCA
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BOCA RATON, FL 33432
julianpacecca@ezhealthgroup.com

JULIAN PACECCA
10402 BUENA VENTURA DRIVE
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The Commissioner of Securities and Insurance, Office of the Montana State Auditor ("Commissioner"), has cause to believe that Tervelens Jean-Louis and Julian Pacecca ("Respondents") have violated the Montana Insurance Code, § 33-1-101, *et seq*., MCA. The Commissioner proposes to issue a final order finding that Respondents each committed administrative insurance fraud in violation of § 33-1-1202(3), MCA. The Commissioner proposes to levy a fine of up to $5,000 per Respondent plus interest at the statutory rate from the date of the Commissioner's final order or the costs of any proceedings under § 33-1-317 and § 33-1-1211, MCA; and revoke Respondents' Insurance Producer Licenses. The Commissioner has the authority to undertake this action pursuant to the Montana Insurance Code, including § 33-1-311, § 33-1-317, § 33-1-1202, and § 33-1-1211, MCA.

The following is a proposed agency action. Acceptance of CSI's proposed action(s) will resolve this matter, and it will be deemed a Final Agency Action based on the facts and law set out below. If Respondents choose not to accept the proposed action, an administrative hearing must be requested; that request must be in writing and received by the Commissioner within 24 days of the date this Notice, as described in the Statement of Rights below. Failure to timely request a hearing can result in entry of a default order as stated in the Possibility of Default section below.

FACTUAL ALLEGATIONS

1. Respondent Jean-Louis is licensed as an insurance producer in Montana, license # 3002606731, NPN 20845022.

2. Respondent Pacecca is licensed as an insurance producer in Montana, license # 3002723342, NPN 19962751.

3. Throughout 2024, M.G., a Montana resident, had health insurance through his employer. However, his 2024 income taxes were returned to him as incorrect due to a Form 1095-A.

4. Form 1095-A is the form used for reporting to the Internal Revenue Service when an individual is enrolled in a health insurance policy sold through federal Marketplace. The Marketplace, not the individual, submits the Form 1095-A to the IRS.

5. M.G. learned that Health Care Service Corporation, an Illinois Mutual Legal Reserve Company conducting business in Montana as Blue Cross Blue Shield of Montana ("BCBS") had issued the health insurance policy and Jean-Louis was the listed producer.

6. On March 03, 2025, M.G. submitted a fraud referral to CSI, which was investigated by Investigator Rodney Harker.

7. Investigator Harker established that the application did not include M.G.'s apartment number on his street address and listed a long-outdated phone number.

8. The application was submitted on February 9, 2024, using Jean-Louis's national producer number ("NPN"), 19962751. The policy was automatically renewed on October 13, 2024.

9. M.G. never gave anyone permission or consent to obtain the BCBS insurance policy. M.G. noted he has never heard from Respondent, never spoken to Respondent, and has no idea who Respondent is.

10. On March 2, 2025, M.G. canceled the policy. In total, the premium for the policy was \$696.99, which was paid for using the federal premium tax credit of \$696.99, thus the policy was entirely paid for by federal taxpayers.

11. BCBS requested a statement from Jean-Louis along with any supporting documentation to indicate M.G. did in fact consent to the enrollment coverage. Jean-Louis was unable to provide any documentation that M.G. had consented to obtain the insurance policy.

12. As a result, BCBS terminated the policy due to fraudulent enrollment.

13. In a written statement provided to CSI dated November 19, 2025, Jean-Louis explained: "Agent Julian Pacecca (NPN: 20845022) was the licensed agent that spoke with and enrolled [M.G.]. I, Tervelens Jean-Louis (NPN: 19962751), was the Agent of Record due to an NPN Override."

14. In a "HCSC Corrective Action Form" signed by Jean-Louis on April 4, 2025, BCBS found the allegation that M.G. had been enrolled without his knowledge was "Founded."

15. On March 31, 2025, Pacecca signed an "Agent Response Statement" and stated, "I am confident that I obtained [M.G.'s] consent before proceeding with the enrollment." Pacecca added that "[r]egrettably, due to technical difficulties with our dialer system that temporarily suspended the recording function, we were unable to locate the enrollment recording."

16. The HCSC Corrective Action Form explains that Jean-Louis took the following correct action against Pacecca: "In response to [M.G.'s] complaint, I spoke with Agent Julian Pacecca face to face. During our meeting, the complaint was addressed. I also stressed the

importance of adhering to our call script, as well as the importance of obtaining consent from consumers during all interactions. Julian was an active participant in the meeting, acknowledging the concerns raised. To ensure accountability and continuous improvement, we have aligned on actionable steps, including closer monitoring of call compliance and additional coaching sessions to reinforce best practices."

ASSERTIONS OF LAW

1. The Commissioner is authorized to act in protection of insurance consumers and in the public interest, and has jurisdiction over this matter pursuant to § 33-1-311, MCA.

2. The Commissioner is tasked with enforcement of the Montana Insurance Code, including the § 33-1-317 and 33-1-1201, et seq., MCA.

3. If, after conducting a hearing under § 33-1-701, MCA, the Commissioner determines that a person has committed administrative or civil insurance fraud, the Commissioner may impose a penalty. § 33-1-317, MCA. That fine can be up to $ 5,000 per violation for insurance producers or adjusters. § 33-1-317, MCA. Additionally, the Commissioner is required to order that the person make restitution to any person for all financial loss sustained as a result of the insurance fraud. § 33-1-1211, MCA.

4. A person commits the act of administrative insurance fraud under § 33-1-1202(3), MCA when the person presents or causes to be presented to or by an insurer, purported insurer, producer, or administrator a materially false or altered application of insurance § 33-1-1202, MCA.

5. The Commissioner may suspend, revoke, refuse to renew, or refuse to issue a license under this chapter, may levy a civil penalty in accordance with 33-1-317, or may choose any combination of actions when a licensee or applicant for licensure has: in the conduct of the affairs under the license, used fraudulent, coercive, or dishonest practices or the licensee or applicant is incompetent, untrustworthy, financially irresponsible, or a source of injury and loss to the public. § 33-17-1011(1)(f), MCA.

6. Here, on February 9, 2024, an application for a new health insurance plan was submitted using Jean-Louis's NPN number without the knowledge or consent of M.G.

7. Respondent's insurance fraud resulted in potential tax liability for M.G.

8. Creating policies for clients and impacting their taxes without their consent and knowledge violates § 33-17-1001(1)(f), MCA due to its coercive and dishonest nature.

PROPOSED AGENCY ACTION

WHEREFORE, the Commissioner, in his discretion and considering, *inter alia* the gravity, number and scope of offense(s), and the financial loss involved, and to protect the health, safety, and welfare of the public, proposes to order the following:

1. A finding that Respondent Jean-Louis committed administrative insurance fraud in violation of § 33-17-1202(3), MCA;

2. A finding that Respondent Pacecca committed administrative insurance fraud in violation of § 33-17-1202(3), MCA;

3. A fine in the amount of up to $5,000 to the State of Montana pursuant to § 33-1-317, MCA, per Respondent plus interest at the statutory rate from the date of the Commissioner's final order or payment of the costs of the proceedings pursuant to § 33-1-317 and § 33-1-1211, MCA;

4. Revocation of Respondent Jean-Louis' Insurance Producer License pursuant to § 33-17-1001(1)(f), MCA; and

5. Revocation of Respondent Pacecca's Insurance Producer License pursuant to § 33-17-1001(1)(f), MCA

STATEMENT OF RIGHTS

Respondents are entitled to contest the Commissioner's proposed action by requesting a hearing; this is called an administrative or "contested case" hearing. § 2-4-102(4), MCA. To do so, within 24 days of the date this Notice, Respondents must submit a written hearing request to CSI at 840 Helena Avenue, Helena, MT 59601 or CSI.LegalService@mt.gov. A hearing request may, but does not have to, include a response to the allegations set forth above. If a hearing is requested, the Commissioner may appoint an impartial hearing examiner to conduct the proceedings under the provisions of the Montana Administrative Procedures Act, Mont. Code Ann. Title 2, Chapter 4, Part 6. § 2-4-611, 33-1-701, MCA; Admin. R. Mont. 1.3.218. Respondents will be provided notice of the time, place, and nature of the hearing; and will be entitled to participate in the contested case process and respond and present evidence and arguments on all issues involved in this action. § 2-4-601- 612, MCA. Respondents have the right to retain legal counsel to represent, accompany, and advise them at any and all stages of this proceeding or may also elect to represent themselves; however, a business entity may not appear on its own behalf or through an agent other than an attorney licensed to practice law. Admin. R. Mont. 1.3.231.

CONTACT WITH COMMISSIONER'S OFFICE

If there are questions or concerns, please contact CSI at 406-444-2040 or CSI.LegalService@mt.gov. If represented by an attorney, please ensure this contact is made by the attorney.

POSSIBILITY OF DEFAULT

Failure to timely provide a written hearing request shall result in the entry of a default order imposing the Commissioner's proposed action, without additional notice, pursuant to Admin. R. Mont. 1.3.214.

DATED this 19th day of June, 2026.

GEORGE BARNES
Counsel for Commissioner of Securities & Insurance

CERTIFICATE OF SERVICE

I hereby certify that on June 19th, 2026, I caused a copy of the foregoing, *Notice of Proposed Agency Action and Opportunity For Hearing*, to be served on the following persons by email and mail:

TO:

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/s/ Tiffany Hoffman

TIFFANY HOFFMAN
Paralegal