

**State of Michigan
Civil Service Commission**

Capitol Commons Center, P.O. Box 30002
Lansing, MI 48909

Position Code

1. DEPTALTA

POSITION DESCRIPTION

This position description serves as the official classification document of record for this position. Please complete the information as accurately as you can as the position description is used to determine the proper classification of the position.

2. Employee's Name (Last, First, M.I.) 	8. Department/Agency DEPT OF INS AND FIN SERVICE
3. Employee Identification Number 	9. Bureau (Institution, Board, or Commission)
4. Civil Service Position Code Description Departmental Analyst-A	10. Division Insurance Licensing, Investigations, and Audits
5. Working Title (What the agency calls the position) COMPLIANCE ANALYST	11. Section Insurance Licensing
6. Name and Position Code Description of Direct Supervisor BOYNTON, ADRYNE C; DEPARTMENTAL MANAGER-3	12. Unit Insurance Regulatory Professional Support
7. Name and Position Code Description of Second Level Supervisor HUISKEN, JILL A; STATE ADMINISTRATIVE MANAGER-1	13. Work Location (City and Address)/Hours of Work 530 W ALLEGAN ST; LANSING, MI 48915 / 8:00 a.m.-5:00 p.m.; Monday-Friday

14. General Summary of Function/Purpose of Position

This position serves as the recognized resource for license compliance in accordance with the Michigan Insurance Code (Code) chapters 12 and 20 for the Office of Insurance Licensing, Investigations, and Audits (OILIA). The position determines statutory compliance of licensees by researching and analyzing complex cases of alleged licensee misconduct, including cases in which agents are terminated for cause by insurers, cases in which another state or jurisdiction disciplines agents for misconduct, and other cases involving compliance or misconduct issues, utilizing applicable information from the company, licensee, and agency; background checks; industry data; and other relevant sources. The position maintains records on compliance cases and associated data, coordinates case priority, prepares case summaries, and detailed compliance action referrals. The position serves as the representative for OILIA management with the Office of General Counsel (OGC) and other states' insurance department regulators. The position tracks licensee compliance with enforcement actions.

15. Please describe the assigned duties, percent of time spent performing each duty, and what is done to complete each duty.

List the duties from most important to least important. The total percentage of all duties performed must equal 100 percent.

Duty 1

General Summary:

Percentage: 50

As the recognized resource, researches and analyzes insurance company termination for cause cases with complex allegations defined as multiple allegations of violations of insurance licensee misconduct; recommends administrative action to ensure compliance to the Code.

Individual tasks related to the duty:

- Reviews and evaluates voluminous documents, data, and other supporting materials identifying evidence of multiple Code violations involving numerous customers and/or fraudulent activities.
- Prepare and send inquiry letters to insurers, licensees, and agency, and collect all relevant information from background checks, industry data, past compliance matters, and other sources.
- Using extensive knowledge of Code, evaluate whether misconduct and available evidence justifies the termination for cause and administrative action.
- Compose referral memorandum that requires in-depth detailed facts to synthesize the complexities of the case and compile supporting documentation in support of recommended action.
- Determines if recommended action requires further investigation by the OILIA Investigations Section or if immediate enforcement action is needed by referring to the OGC.
- Participate in informal conferences with licensees and work with OILIA management and the OGC to decide potential appropriate enforcement actions.
- Represents OILIA management at informal conferences with licensees and works with the OGC to determine appropriate enforcement actions.
- In contested enforcement cases, testifies in administrative hearing on behalf of DIFS.

Duty 2

General Summary:

Percentage: 30

As the recognized resource, researches and analyzes complicated cases of licensee misconduct from other states and jurisdictions recommending administrative actions and to administer compliance with Code.

Individual tasks related to the duty:

- Compile monthly disciplinary reports from the Financial Industry Regulatory Authority (FINRA) originating from other states and jurisdictions.
- Review daily misconduct and penalties of licensees from other states utilizing the National Association of Insurance Commissioners (NAIC) including the Regulatory Information Retrieval System (RIRS) and Reporting of Actions (ROA) database.
- Review other reports of licensee misconduct, including self-reports, news and industry reports, federal actions, and others.
- For cases requiring further investigation, research and gather information from all applicable sources, analyze information, interpret Code and associated rules and DIFS policies and procedures as they relate to case, and determine if necessary to take action against licensee.
- Compose referral memorandum that requires in-depth detailed facts to synthesize the complexities of the case and compile supporting documentation in support of recommended action.
- Determines if recommended action requires further investigation by the OILIA Investigations Section or if immediate enforcement action is needed by referring to the OGC.
- Participate in informal conferences with licensees and work with OILIA management and the OGC to decide potential appropriate enforcement actions.
- In contested enforcement cases, testify in administrative hearing on behalf of DIFS.

Duty 3

General Summary:

Percentage: 15

Administer the licensee compliance program by creating and implementing process improvements as well as monitor and track licensee completion of enforcement action.

Individual tasks related to the duty:

- Develop, implement, update and oversee operations, policies, and procedures.
- Define program standards and parameters.
- Complete assigned special projects on compliance matters related to statutory analysis.
- Provide guidance to other staff on compliance matters, and coordinate with and provide any necessary compliance training to other staff as it pertains to the position's programs.
- Prepare and distribute pertinent correspondence on compliance matters to DIFS offices, other states, and other relevant entities as needed.
- Organize, compile, and maintain documents to monitor all OILIA-related enforcement actions.
- Track licensee compliance with payment of penalties, completion of reporting and continued education requirements, and other enforcement actions.
- Liaise with OGC attorneys and staff on licensee completion of enforcement actions.
- Use extensive knowledge of the Code and enforcement actions to remedy licensee failures to comply.

Duty 4

Special projects and other OILIA duties as assigned.

Individual tasks related to the duty:

- Attend meetings, conferences, and seminars as needed.
- Represent OILIA and DIFS by participating in workgroups as needed.
- Perform complex assignments and special projects for management as requested.
- Consult with and assist other units within areas of expertise.
- Plan, organize, and complete projects that impact office operations, such as implementation of new programs or processes and methods of streamlining or increasing operational efficiency.
- Other duties as assigned

16. Describe the types of decisions made independently in this position and tell who or what is affected by those decisions.

- This position establishes priorities and timelines in order to complete directives and accomplish goals of the license compliance process. The person in the position, colleagues, and management are affected.
- Determines licensee compliance with the Code and whether to pursue cases. Licensees and customers are affected by these decisions.

17. Describe the types of decisions that require the supervisor's review.

Decisions and approvals that are not delegated or expressly covered by licensing procedures, department policy or guidelines.

18. What kind of physical effort is used to perform this job? What environmental conditions in this position physically exposed to on the job? Indicate the amount of time and intensity of each activity and condition. Refer to instructions.

Duties and tasks are performed in a traditional office environment which includes considerable sitting, occasional standing and walking, limited lifting, extensive computer knowledge and usage, and normal office routines. Position requires occasional in-state travel by automobile and limited out-of-state travel usually by air. Overnight travel may be required.

19. List the names and position code descriptions of each classified employee whom this position immediately supervises or oversees on a full-time, on-going basis.

Additional Subordinates

20. This position's responsibilities for the above-listed employees includes the following (check as many as apply):

- | | |
|---|--|
| <input type="checkbox"/> Complete and sign service ratings. | <input type="checkbox"/> Assign work. |
| <input type="checkbox"/> Provide formal written counseling. | <input type="checkbox"/> Approve work. |
| <input type="checkbox"/> Approve leave requests. | <input type="checkbox"/> Review work. |
| <input type="checkbox"/> Approve time and attendance. | <input type="checkbox"/> Provide guidance on work methods. |
| <input type="checkbox"/> Orally reprimand. | <input type="checkbox"/> Train employees in the work. |

22. Do you agree with the responses for items 1 through 20? If not, which items do you disagree with and why?

Yes.

23. What are the essential functions of this position?

See box 14.

24. Indicate specifically how the position's duties and responsibilities have changed since the position was last reviewed.

This position performs the most complex assignments related to license compliance which is defined by multiple allegations of fraudulent activity leading to termination for cause by insurers, and many times involves numerous harmed customers. The level of research and analysis required to properly evaluate compliance cases and prepare case summaries, referrals, and other written assignments is complex in that there is voluminous documents, data and other supporting materials which requires in-depth research and analysis of the Code that must be appropriately tied to violations of the Code. This position also oversees all license compliance matters originating from other states and jurisdictions that have multiple allegations of fraud. In addition to requiring knowledge of, and the ability to interpret the Michigan Insurance Code, rules, policies, and procedures, this position must be familiar with other states' licensing compliance codes, statutes and laws. This position conducts on-going analysis and evaluation of program operations and makes modifications to policies and procedures to increase efficiency. The position requires the highest level of expertise in defining program standards and parameters for the compliance program. This position is the Licensing Compliance subject matter expert and works with the Office of General Counsel regarding the determination of statutory compliance and enforcement for licensees.

25. What is the function of the work area and how does this position fit into that function?

The Insurance Licensing Section is responsible to license individuals and business entities pursuant to the Michigan Insurance Code and ensures continued compliance with licensing requirements. The Section maintains and updates licensee files, approves and monitors prelicensing and continuing education. The section receives approximately 85,000 license applications annually for various insurance licenses. This essential position serves to independently analyze compliance through company submissions of cancellation for cause of appointments, and reports of multiple potential code violations through individual self-reports, NAIC RIRS, and FINRA administrative action reports. The position administers the license compliance program which has statewide and national impact.

26. What are the minimum education and experience qualifications needed to perform the essential functions of this position.

EDUCATION:

Possession of a Bachelor's degree in any major

EXPERIENCE:

Departmental Analyst 12

Three years of professional experience, including one year of experience equivalent to the experienced (P11) level in state service.

Alternate Education and Experience

Departmental Analyst 9 - 12

Educational level typically acquired through completion of high school and the equivalent of at least two years of full-time active-duty experience at or above the E-6 level in the uniformed services may be substituted for the education requirement.

KNOWLEDGE, SKILLS, AND ABILITIES:

- Ability to interpret laws, rules and regulations relative to the insurance industry.
- Knowledge of the principles and practices of research and analysis.
- Ability to organize and coordinate the work of others.
- Ability to set priorities and assign work to other professionals.
- Ability to communicate both verbally and in writing effectively.

CERTIFICATES, LICENSES, REGISTRATIONS:

None

NOTE: Civil Service approval does not constitute agreement with or acceptance of the desired qualifications of this position.

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Supervisor

Date

TO BE FILLED OUT BY APPOINTING AUTHORITY

Indicate any exceptions or additions to the statements of employee or supervisors.

N/A

I certify that the entries on these pages are accurate and complete.

ERMELINDA GARZA

Appointing Authority

11/6/2024

Date

I certify that the information presented in this position description provides a complete and accurate depiction of the duties and responsibilities assigned to this position.

Employee

Date