



2. On July 21, 2022, Watson reported to USAA that she was driving the 2016 Acura, and Joyner, along with her two children were her passengers when it was struck by the vehicle insured by USAA.

3. On July 21, 2022, a USAA representative interviewed its insured driver, hereinafter Jones, who reported that the driver [Watson] was the only person in the 2016 Acura at the time of the accident.

4. On July 27, 2022, a USAA representative interviewed Jones who reiterated that the driver was the only person in the 2016 Acura. Jones provided USAA with photographs she took at the accident scene. One of the photographs depicted the driver of the Chevrolet, who was involved in the accident, leaning into the passenger-side window of the 2016 Acura; there was a clear view of the vehicle's interior. There were no passengers present.

5. USAA referred Respondent's claim to its Special Investigative Unit ("SIU") for further investigation.

6. On September 21, 2022, a USAA representative interviewed Watson who reported that her two children were in her 2016 Acura at the time of the accident; they suffered minor injuries; she treated them at home.

7. On September 21, 2022, a USAA representative interviewed Joyner who reported that following the accident, he was treated for injuries at Kaiser Urgent Care, and he would forward those bills to USAA.

8. On November 3, 2022, Joyner sent an email to USAA. Attached to the email was a "Patient Account Ledger" (hereinafter "bill") ostensibly issued by a Baltimore area chiropractic office. "Dr. Glen \*\*\*" was identified as the treating physician. The bill reflected that Joyner received medical

treatment on various dates, between July 25, 2022 to August 3, 2022. The charges totaled \$3,292.00, and reflected paid with cash.

9. On January 5, 2023, the driver of the Chevrolet, who was depicted in a photograph (paragraph 4 *Supra*) leaning into the passenger-side window of the 2016 Acura, reported to USAA, through his attorney, that there were no passengers in Watson's 2016 Acura at the time of the accident.

10. On January 12, 2023, a USAA investigator interviewed Joyner who reported that he was the front seat passenger in Watson's 2016 Acura at the time of the accident; two children were in the rear seat. Joyner reported that neither he nor Watson exited the car.

11. On February 1, 2023, a USAA investigator examined two police body worn camera ("BWC") videos of the July 21, 2022 accident. One video showed the three drivers standing outside of their vehicles. Watson was standing next to the open passenger side door of her 2016 Acura, gathering documents from the glove compartment and placing them on the front passenger seat. The investigator concluded that there was no one in the front passenger seat. Watson was not seen interacting with children.

12. On February 1, 2023, the USAA investigator interviewed Joyner, wherein he repeated that he never exited Watson's car. When confronted with evidence that BWC videos show that there were no passengers in Watson's car, Joyner reiterated that he was in the front passenger seat.

13. Section 27-802(a)(1) of the Maryland Insurance Article states,

An authorized insurer, its employees, fund producers, or insurance producers, ... who in good faith has 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.

USAA, having a good faith belief that Respondents committed insurance fraud, referred the matter to the MIA, Insurance Fraud and Enforcement Division, which opened an investigation.

14. On April 26, 2023, an MIA investigator examined the bill Joyner submitted to USAA for treatment he allegedly received following the July 21, 2022 accident. The treating physician was identified as Dr. Glen, for treatment on July 25, 27, 28, 29, August 1 and 3, 2022. The total cost was \$3,292.00 and reflected, “Total Paid.” The MIA investigator interviewed Dr. Glen. He examined the bill, and reported that the document was false; Dr. Glenn retired in May of 2022 and closed his office.

15. An MIA investigator examined the BWC videos of the July 21, 2022 accident scene. The videos clearly show Watson opening her front passenger door to obtain documents. There was no one in the front passenger seat. The investigator obtained a Maryland Motor Vehicle Administration photograph of Joyner; there was no one resembling him at the accident scene.

16. On May 23, 2023, an MIA investigator interviewed the driver of the 1998 Chevrolet. He reported that Watson was the only occupant of 2016 Acura at the time of the accident.

### **III. VIOLATION(S)**

17. In addition to all relevant sections of the Maryland Insurance Article, which apply to acts and omissions of the Respondent in the State.<sup>2</sup>

**Section 27-403** of the Insurance Article provides, in pertinent part:

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[.]

**Section 27-408(c)** of the Insurance Article provides, in pertinent part:

---

<sup>2</sup> The failure to designate a particular provision in this proposed Order does not deprive the Commissioner of the right to rely on that provision.

(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.

18. By the conduct described herein, Respondents violated § 27-403. The fraudulent insurance act of submitting a false document or making a false statement in support of a claim is complete upon making the false statement or submitting the false document and is not dependent on payment being made. Respondents committed a violation of the Insurance Article when they made false statements to USAA, and Joyner, when he submitted a false document to USAA. As such, Respondents are subject to an administrative penalty pursuant to § 27-408(c) of the Insurance Article.

#### **IV. SANCTIONS:**

19. 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.

20. Having considered the factors set forth in § 27-408(c)(2), the MIA has determined that an administrative penalty in the amount of \$1,500.00 is appropriate against Watson and \$2,000.00 is appropriate against Joyner.

**21.** The aforesaid administrative penalties shall be paid within thirty (30) days of the date of this Order to the Maryland Insurance Administration. Payment shall be made by immediately payable funds and shall identify the case by number (R-2023-2531A) and names, (Shanera Toni Watson), (Leonard Everett Joyner, Jr.). Payment of the administrative penalty shall be sent to the attention of: Acting Associate Commissioner Joseph E. Smith, Insurance Fraud and Enforcement Division, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202. Unpaid penalties will be referred to the Central Collections Unit for collection.

**22.** 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 Respondent's right to request a hearing, it is this 23 day of June 2023, **ORDERED** that:

**(1)** Shanera Toni Watson shall pay an administrative penalty of One Thousand Five Hundred Dollars (\$1,500.00) within 30 days of the date of this Order.

**(2)** Leonard Everett Joyner, Jr. shall pay an administrative penalty of Two Thousand Dollars (\$2,000.00) within 30 days of the date of this Order.

KATHLEEN A. BIRRANE  
Insurance Commissioner

BY: signature on original  
JOSEPH E. SMITH  
Acting Associate Commissioner  
Insurance Fraud & Producer Enforcement 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 served. The written request for hearing must be addressed to the Maryland Insurance Administration, 200 St. Paul Place, Suite 2700, Baltimore, Maryland 21202, Attn: Melanie Gross, Executive Assistant to the Deputy Commissioner. 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.