



**The State of New Hampshire
Insurance Department**

21 South Fruit Street, Suite 14
Concord, NH 03301

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**David J. Bettencourt
Commissioner**

**Keith E. Nyhan
Deputy Commissioner**

March 11, 2024

His Excellency, Governor Christopher T. Sununu
and the Honorable Council
State House
Concord, New Hampshire 03301

REQUESTED ACTION

In accordance with RSA 94:6, the Insurance Department respectfully requests to place Michelle Heaton at the sixth step for the position of Director of Life and Health (9U700), unclassified salary grade HH, earning \$126,384.00 annually, effective upon Governor and Council approval. Funding is 100% agency income.

EXPLANATION

The Insurance Department's Director of Life and Health position requires a specialized knowledge and familiarity regarding health and life insurance products and how these products are regulated. To advance the regulatory priorities of the Department, the Director must possess a skill set for managing, supervising, planning, and implementing the activities, operations, and goals of the Life and Health Division. The Division consists of four subunits, Market Regulation, Rates, Health Analytics, and Compliance, containing a total of 19 positions.

Ms. Heaton possesses substantial subject matter knowledge as well as strong organizational and leadership skills making her an excellent fit for the Life and Health Director. Ms. Heaton earned her Juris Doctorate from New England Law and has been practicing in New Hampshire for the past 12 years. She joined the Insurance Department in 2019 and is currently serving as the Department's Health Law and Policy Legal Counsel. Ms. Heaton has excelled in her work and has played an integral part in many Department initiatives. Her experience, knowledge, and skillset will allow her to easily transition to the role of Director.

The Insurance Department is seeking approval from Governor and Council to compensate Ms. Heaton's unclassified position at the annual salary of \$126,384.00 with a starting date of March 27, 2024. The source of funds is 100% agency income.

Respectfully submitted,

A handwritten signature in blue ink that reads "D.J. Bettencourt".

David J. Bettencourt
Insurance Commissioner

Michelle Heaton

BAR CERTIFICATION

Massachusetts State Bar, admitted November 2012 (*retired 2020*)
New Hampshire State Bar, admitted November 2012

EDUCATION

New England Law | Boston
Juris Doctor, Cum Laude

Boston, MA
May 2012

University of San Diego
Bachelor of Arts in Chemistry

San Diego, CA
May 2007

LEGAL EXPERIENCE

New Hampshire Insurance Department
Health Law and Policy Legal Counsel

Concord, NH
Jan 2021 – Present

- Provides primary legal counsel for all regulatory matters relating to major medical insurance coverage and managed care
- Coordinates with federal regulatory bodies relating to health insurance, and manages the legal aspects of the Department's response to all evolving health insurance-related regulatory issues
- Represents the Department before the General Court, at meetings of legislative committees and work groups on matters involving access to comprehensive health insurance coverage, health care accessibility, health insurance cost containment, health insurance reform, and other matters of policy and law related to health insurance and managed care
- Serves as the Department's representative on intergovernmental initiatives and stakeholder forums
- Engages in National Association of Insurance Commissioners (NAIC) committee work, task forces, and working groups relating to health insurance and managed care
- Provides legal counsel to the Tax Unit of the Department on all matters relating to premium taxes and fees

Administrative Hearings Judge

Apr 2019 – Jan 2021

- Received evidence and draft proposed orders as the Hearing Officer in administrative proceedings before the Department
- Coordinated and assisted various legislative and rulemaking working groups by providing legal research and representing the Department by testifying at public hearings
- Drafted legal memoranda on various issues relating to insurance and administrative law
- Oversaw the Department's compliance with the Right-to-Know requirements of RSA 91-A
- Provided legal assistance for miscellaneous projects as directed by the Commissioner

New Hampshire Department of Justice
Assistant Attorney General

Concord, NH
Mar 2013 – Apr 2019

- Investigated complaints of misconduct for various State Boards
- Authored reports of investigation that summarized the details of the investigation and provided legal analysis and recommendations
- Drafted and negotiated settlement agreements
- Prosecuted professional misconduct cases before various occupational licensing boards
- Conducted training on administrative law and administrative adjudicatory proceedings

Professor Robert Coulthard, New England School of Law
Research Assistant

Boston, MA
Feb 2013 – July 2013

- Researched and analyzed recent developments in Massachusetts state law and federal law
- Drafted memoranda on a variety of legal topics

Government Lawyer Clinic
Law Clerk for the Division of Administrative Law Appeals

Boston, MA
Sept 2011 – Dec 2011

- Drafted opinions for DALA magistrates on a variety of state administrative law issues
- Researched applicable state and federal statutes and case law for a variety of administrative law issues

Law Office of Chad DeForce
Law Clerk

Medford, MA
Jun 2011 – Aug 2011

- Drafted various legal documents pertaining to real estate transactions such as deeds and purchase and sale agreements
- Assisted in performing basic title history searches for real property

Law Offices of Jeffrey S. Glassman
Law Clerk

Boston, MA
Jun 2010 – Feb 2011

- Conducted client intake interviews and corresponded regularly with clients
- Prepared documents for workers' compensation claims for submission to the Department of Industrial Accidents
- Drafted various legal documents pertaining to general liability and workers' compensation claims

PROFESSIONAL EXPERIENCE

ParexUSA

Product Development Chemist

Riverside, CA

Nov 2007 – Aug 2009

- Sourced and investigated alternative raw material suppliers and assisted in renegotiating contracts with suppliers
- Consolidated, reformulated, and developed new products that incorporated cost savings and improved performance
- Trained quality control employees and research and development technicians in proper testing procedures
- Coordinated raw materials sources and troubleshooting with ten manufacturing plants across the country

PROFESSIONAL CERTIFICATIONS AND DESIGNATIONS

NAIC Professional in Insurance Regulation (PIR) designation

Insurance Regulatory Examiners Society Certified Insurance Examiner (CIE) designation

Insurance Regulatory Examiners Society Accredited Insurance Examiner (AIE) designation

Insurance Regulatory Examiners Society Market Conduct Management (MCM) designation

AHIP Fellow, Academy for Healthcare Management (FAHM) designation

AHIP Professional, Health Insurance Advanced Studies (PHIAS) designation

AHIP Fellow, Health Ins. Advanced Studies Cert. Program (FHIAS) designation

AHIP Managed Healthcare Professional

AHIP Professional, Academy for Healthcare Management (PAHM) designation

PROFESSIONAL ASSOCIATIONS

New Hampshire Bar Association Public Interest Sector, Chair

New Hampshire Bar Association Leadership Academy Class of 2016

Insurance Regulatory Examiners Society

American Bar Association