

# Health insurance telemarketer faces whopping record FCC fine of \$225 Million for spoofed robocalls

The Federal Communications Commission fined Texas-based telemarketers \$225 million—the largest fine in FCC history—for transmitting approximately 1 billion robocalls, many of them illegally spoofed, to sell short-term, limited duration health insurance plans. The robocalls falsely claimed to offer health insurance plans from well-known health insurance companies such as Blue Cross Blue Shield and Cigna.

John C. Spiller and Jakob A. Mears, who used business names including Rising Eagle and JSquared Telecom, transmitted the spoofed robocalls across the country during the first four-and-a-half months of 2019. Mr. Spiller admitted to the USTelecom Industry Traceback Group that he made millions of spoofed calls per day and knowingly called consumers on the Do Not Call list as he believed that it was more profitable to target these consumers. Rising Eagle made the calls on behalf of clients, the largest of which, Health Advisors of America, was sued by the Missouri Attorney General for telemarketing violations in February 2019.

Beginning in 2018, there was an increase in consumer complaints and robocall traffic related to health insurance and other health care products, with approximately 23.6 million health insurance robocalls crossing the networks of the four largest wireless carriers each day. Rising Eagle originated a large portion of this unwelcome robocall traffic.

The Truth in Caller ID Act prohibits manipulating caller ID information with the intent to defraud, cause harm, or

wrongfully obtain anything of value. The FCC's investigation found that the Rising Eagle spoofed its robocalls to deceive consumers and caused at least one company whose caller IDs were spoofed to become overwhelmed with angry call-backs from aggrieved consumers.