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## STATE OF ARIZONA

OCT 5 2012

# **DEPARTMENT OF INSURANCE**

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BY_	

In the Matter of:
WRIGHT-RUPPERT, CAROLYN KIM,

No. 12A-131-INS

(License number # 987613) (NPN # 16172914)

**CONSENT ORDER** 

Hearing 11/21/12, 8:00 a.m. ALJ Sondra Vanella

Respondent

The State of Arizona Department of Insurance ("Department") has received evidence that **Carolyn Kim Writght-Ruppert** has violated provisions of Title 20, Arizona Revised Statutes ("A.R.S."). Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

## **FINDINGS OF FACT**

- 1. Carolyn Kim Wright-Ruppert ("Respondent") is, and was at all material times licensed as a resident accident/health, life and variable life/variable annuities insurance producer, Arizona license number 987613, which expires January 31, 2015.
- 2. Respondent's mailing, business and residence addresses of record with the Department are: c/o Edward Jones, 3654 N. Power Rd., Suite 169, Mesa, Arizona 85215 (business and mailing); 10265 E. Dolphin Ave., Mesa, Arizona 85208 (residence).
- 3. On or about March 15, 2011, the Department issued to Respondent an insurance license as an accident/health, life and variable life/variable annuities producer, Arizona license number 987613.
- 4. On October 31, 2011, the Department notified Respondent by mail at her business/mailing address of record that her fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before November 30, 2011.

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- 5. On April 25, 2012, the Department notified Respondent a second time by mail at her residence address of record that it was about to initiate an administrative action against her license for failure to comply with the fingerprint requirement. The Department requested a response by May 15, 2012.
- 6. To date, Respondent has not submitted a full set of fingerprints to the Department.

#### **CONCLUSIONS OF LAW**

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(E)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S.§20-295(A)(2).
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A) and (F).

#### ORDER

#### IT IS HEREBY ORDERED THAT:

- Respondent shall immediately submit to the Department a full set of fingerprints and an Illegible Fingerprint Replacement Form.
- 2. Respondent shall immediately pay to the Department a civil money penalty in the amount of \$250.00.

3.	The hearing, Docket #12A-131-INS, scheduled for November 21, 2012, at 8:00
a.m. is vacate	ed.

DATED AND EFFECTIVE this 5th day of October, 2012.

GERMAINE L. MARKS
Acting Director of Insurance

### CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- 2. Respondent admits to the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
- 3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this Consent Order and that she has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Acting Director is solely to settle this matter against her and does not preclude any other agency, officer, or subdivision of this state including the Department from instituting civil or criminal proceedings as may be appropriate now or in the future not related to this matter.

1	6. Respondent acknowledges that this Consent Order is an administrative action	
2	that the Department will report to the National Association of Insurance Commissioners	
3	(NAIC). Respondent further acknowledges that she must report this administrative action to	
4	any and all states in which she holds an insurance license and must disclose this	
5	administrative action on any license application.	
6 7	Date Carolyn Kim Wright-Rupper, AZ License # 987613	
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9	COPIES of the foregoing mailed/delivered this <u>5th</u> day of <u>October</u> , 2012, to:	
10	Carolyn Kim Wright-Ruppert c/o Edward Jones 3654 N. Power Rd., Suite 169	
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12	Mesa, Arizona 85215 Respondent	
13	Barbara Jean Markley-Ver Woert	
14	3144 N. 7 <sup>th</sup> Ave. Phoenix, Arizona 85013 Respondent	
15		
16	Mary E. Kosinski, Exec. Assistant for Regulatory Affairs Mary Butterfield, Assistant Director	
17	Catherine M. O'Neil, Consumer Legal Affairs Officer Steven Fromholtz, Licensing Supervisor	
18	Department of Insurance 2910 North 44 <sup>th</sup> Street, Suite 210	
19	Phoenix, Arizona 85018	
20	Sondra Vanella, Administrative Law Judge Office of Administrative Hearings 1400 West Washington, Suite 101	
21	Phoenix, AZ 85007	
22	Or Rusta	