

JAN 17 2013

STATE OF ARIZONA
DEPARTMENT OF INSURANCEDEPT OF INSURANCE
BY 

In the Matter of:

No. 12A-157-INS

GIL, JUAN MICHAEL
(Arizona License # 39596)
(NPN # 767470)**CONSENT ORDER**

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that Juan Michael Gil has violated provisions of Title 20, Arizona Revised Statutes. 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. Juan Michael Gil ("Respondent") is, and was at all material times, licensed as an Arizona non-resident accident/health, credit, life, property and casualty insurance producer, Arizona license number 39596, which expires July 31, 2013. Respondent was formerly licensed as a resident producer in Arizona.

2. Respondent's addresses of record are: c/o Humana, 3501 SW 160th Ave., 3rd Floor, Miramar, Florida 33027-4695 (business and mailing), and 15220 NW 6th Ct., Pembroke Pines, Florida 33028-1833 (residence).

3. On or about July 18, 2011, Respondent filed a Letter of Clearance Request with the Department that stated he was relocating to Florida and requested that his Arizona resident license be changed to a non-resident status.

4. On or about August 3, 2011, the Department mailed a Clearance Letter to Respondent at his new business/mailing address of record and converted Respondent's resident producer license to a non-resident license. In the Clearance Letter, the

1 Department informed Respondent that his ability to transact insurance business in Arizona
2 as a non-resident was contingent upon his submitting a certification of license status from
3 his new home state within 30 days of becoming licensed in that state. Respondent's
4 license authority in Arizona remained the same, including casualty, credit, accident/health,
5 life, and property producer authority.

6 5. On or about August 24, 2011, the Florida Department of Financial Services
7 issued Respondent a Florida insurance license, number E060935, with authority as a life
8 producer, including variable annuity and health line of authority. This license does not
9 authorize Respondent to act in the capacity of a casualty, credit, or property producer.

10 6. To date, Respondent does not have a credit, property, or casualty line of
11 authority in his resident state.

12 CONCLUSIONS OF LAW

13 1. The Director has jurisdiction over this matter.

14 2. On the written request of a person who is licensed, the Director may accept
15 the voluntary surrender of the person's authority to transact one or more lines of insurance
16 or of the person's entire license. A person who surrenders an authority or license shall not
17 reapply for the same authority or license for at least one year after the date of surrender.
18 A.R.S. § 20-289(F).

19 3. Respondent's conduct, as described above, constitutes failure to be currently
20 licensed and in good standing for his credit, property, and casualty lines of authority in the
21 person's home state, in violation of A.R.S. § 20-287(A)(1).

22 4. Respondent's conduct, as described above, constitutes a violation of Title 20,
23 within the meaning of A.R.S. § 20-295(A)(2).

24 5. Grounds exist for the Director to suspend, revoke, or refuse to renew
25 Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to
26 A.R.S. § 20-295(A) and (F).

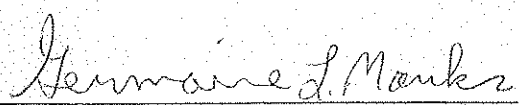
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ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent may surrender his credit, property and casualty lines of authority under Arizona non-resident license number 39596.
2. Respondent's accident/health and life producer lines of authority under Arizona non-resident license number 39596 are not surrendered.

DATED AND EFFECTIVE this 16th day of January, 2013.


GERMAINE L. MARKS
Director of Insurance

CONSENT TO ORDER

1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
2. Respondent admits 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 his right to notice and hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his 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 him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency,

1 including the Department, officer, or subdivision of this state or this agency from instituting
2 civil or criminal proceedings as may be appropriate now or in the future.

3 6. Respondent acknowledges that this Consent Order is an administrative action
4 that the Department will report to the National Association of Insurance Commissioners
5 (NAIC). Respondent further acknowledges that he must report this administrative action to
6 any and all states in which he holds an insurance license and must disclose this
7 administrative action on any license application.

8 1/15/2013

9 Date

Juan Michael Gil
Juan Michael Gil, Arizona License # 39596

10
11 COPIES of the foregoing mailed/delivered
12 this 17th day of January, 2013, to:

13 Juan Michael Gil
14 c/o Humana
15 3501 SW 160th Ave., Floor 3
16 Miramar, Florida 33027-4695
17 Respondent

18 Juan Michael Gil
19 15220 NW 6th Ct.
20 Pembroke Pines, Florida 33028-1833
21 Respondent

22 Mary E. Kosinski, Exec. Assistant for Reg. Affairs
23 Mary Butterfield, Assistant Director
24 Catherine M. O'Neil, Consumer Legal Affairs Officer
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