

FEB 21 2014

DEPT OF INSURANCE  
BY 

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

In the Matter of:

**HERNANDEZ, JESSICA DELGADO**  
(Arizona License Number 1060952)  
(National Producer Number 17093833)

No. 14A-023-INS

**CONSENT ORDER**

**Respondent.**

The State of Arizona Department of Insurance ("Department") has received evidence that **Jessica Delgado Hernandez** 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. Jessica Delgado Hernandez ("Respondent") is, and was at all material times licensed as a resident accident/health and life insurance producer, Arizona license number 1060952, which expires on December 31, 2016. Respondent first became licensed with the Department on October 21, 2013.

2. Respondent's mailing, business and residence addresses of record with the Department are: 12955 W. Saguaro Lane, Surprise, AZ 85374 (business, mailing and residence).

3. On or about October 21, 2013, Respondent submitted an Application for an Individual Insurance License ("October 21 2013 Application"). Section V, part C of the October 21 2013 Application asks: Have you ever been found guilty of, have you had a judgment made against you for, or have you admitted to, any of the following: 1. A felony (of any kind)? . . . Respondent answered Yes to Question 1. Respondent signed the October 21 2013 Application.

4. In connection to her "Yes" response to Section V, part C, Question 1 of the October 21 2013 Application, Respondent included court documents for State of Arizona v.

1 Jessica Delgado Hernandez; Docket No. CR2008-154029 ("CR2008-154029"). The Superior  
2 Court of Arizona, Maricopa County adjudged Respondent guilty of Aggravated Assault, a  
3 Class 3 Felony and sentenced Respondent to be incarcerated for 3.5 years.

4 5. On or about October 21, 2013, Respondent submitted an Arizona Application for  
5 Consent to Engage in the Business of Insurance under 18 USC § 1033 ("1033 Waiver"). In  
6 the Statement portion of the 1033 Waiver, Respondent stated "Legal documents are attached  
to license application."

7 **Case 8:98-cr-00159-TMS-1**

8 6. On or about May 19, 1999, the U.S. District Court, District of Nebraska (8  
9 Omaha) entered a Judgment and Commitment in USA v. Hernandez, Criminal Docket Number  
10 8:98-cr-00159-TMS-1 ("Case 8:98-cr-00159"). In Case 8:98-cr-00159, the Court found  
11 Respondent guilty of one count of Conspiracy to possess with intent to distribute  
methamphetamine, a felony. The Court sentenced Respondent to be incarcerated for 30  
12 months with 3 years of supervised release.

13 7. Respondent did not supply any court documents to the Department for Case  
8:98-cr-00159 or explain why she could not provide the documents.

14 **CONCLUSIONS OF LAW**

15 1. The Director has jurisdiction over this matter.

16 2. Respondent's conduct as described above, constitutes obtaining or attempting to  
17 obtain a license through misrepresentation or fraud, within the meaning of A.R.S. § 20-  
295(A)(3).

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

20 4. Grounds exist, in addition to or instead of any suspension, revocation or refusal  
21 to renew a license for the Director to impose a civil penalty of not more than two hundred fifty  
22 dollars for each unintentional failure or violation, up to an aggregate civil penalty of two  
23 thousand five hundred dollars or impose a civil penalty of not more than two thousand five

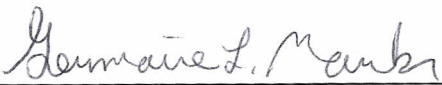
1 hundred dollars for each intentional failure or violation up to an aggregate civil penalty of  
2 fifteen thousand dollars, within the meaning of A.R.S. § 20-295(F).

3 **ORDER**

4 IT IS HEREBY ORDERED THAT:

5 1. Respondent shall immediately pay a civil penalty in the amount of \$125.00 for  
6 deposit into the State General Fund.

7 DATED AND EFFECTIVE this 21st day of February, 2014.

8   
9 GERMAINE L. MARKS  
10 Director of Insurance

11 **CONSENT TO ORDER**

12 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law  
13 and Order.

14 2. Respondent admits to the jurisdiction of the Director of Insurance, State of  
15 Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing  
16 Conclusions of Law and Order.

17 3. Respondent is aware of her right to notice and a hearing at which she may be  
18 represented by counsel, present evidence and examine witnesses. Respondent irrevocably  
19 waives her right to such notice and hearing and to any court appeals relating to this Consent  
20 Order.

21 4. Respondent states that no promise of any kind or nature whatsoever, except as  
22 expressly contained in this Consent Order, was made to her to induce her to enter into this  
23 Consent Order and that she has entered into this Consent Order voluntarily.

1           5.       Respondent acknowledges that the acceptance of this Consent Order by the  
2 Director is solely to settle this matter against her and does not preclude any other agency,  
3 officer, or subdivision of this state including the Department from instituting civil or criminal  
4 proceedings as may be appropriate now or in the future not related to this matter.

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

10 2-14-14

11 Date



Jessica Delgado Hernandez, Arizona License # 1060952

12 COPIES of the foregoing mailed/delivered  
13 this 21st day of February, 2014, to:

14 Jessica Delgado Hernandez  
15 12955 W. Saguaro Lane  
16 Surprise, AZ 85374  
17 Respondent

18 Mary E. Kosinski, Exec. Assistant for Regulatory Affairs  
19 Darren Ellingson, Deputy Director  
20 Catherine M. O'Neil, Consumer Legal Affairs Officer  
21 Steven Fromholtz, Licensing Supervisor  
22 Department of Insurance  
23 2910 North 44<sup>th</sup> Street, Suite 210  
Phoenix, Arizona 85018

  
Curvey Walters Burton