

FEB 17 2016

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE BY MS  
DEPT OF INSURANCE

In the Matter of:

**GARMON, TAMMY PING**  
(Arizona License No. 1083636)  
(National Producer No. 17336350)

**No. 15A-136-INS**

**ORDER**

Respondent.

On February 9, 2016, the Office of Administrative Hearings, through Administrative Law Judge Tammy L. Eigenheer, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Interim Director of the Department of Insurance ("Interim Director") on February 9, 2016, a copy of which is attached and incorporated by this reference. The Interim Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

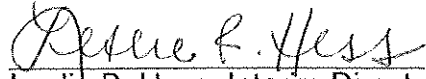
1. The Interim Director adopts the Recommended Findings of Fact and Conclusions of Law.
2. The Interim Director revokes the Arizona resident insurance producer license, No. 1083636, of **Tammy Ping Garmon** effective immediately.

**NOTIFICATION OF RIGHTS**

Pursuant to Arizona Revised Statutes ("A.R.S.") § 41-1092.09, Respondent may request a rehearing with respect to this order by filing a written motion with the Interim Director of the Department of Insurance within 30 days of the date of this Order, setting forth the basis for relief under A.A.C. R20-6-114(B). Pursuant to A.R.S. § 41-1092.09, it is not necessary to request a rehearing before filing an appeal to Superior Court.

1 Respondent may appeal the final decision of the Interim Director to the Superior  
2 Court of Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an  
3 appeal must notify the Office of Administrative Hearings of the appeal within ten days after  
4 filing the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

5 DATED this 12<sup>th</sup> day of February, 2016.

6  
7   
8 Leslie R. Hess, Interim Director  
Arizona Department of Insurance  
9

10 COPY of the foregoing mailed this  
11 1<sup>st</sup> day of February, 2016 to:

12 Tammy Ping Garmon  
13 c/o Physician's Mutual  
14 8777 E. Via de Ventura, Suite 300  
Scottsdale, AZ 85258  
Respondent

15 Mary Kosinski, Executive Assistant for Regulatory Affairs  
16 Catherine O'Neil, Consumer Legal Affairs Officer  
17 Steven Fromholtz, Licensing Director  
Arizona Department of Insurance  
2910 North 44th Street, Suite 210  
Phoenix, Arizona 85018

18 Liane Kido  
19 Assistant Attorney General  
1275 West Washington Street  
20 Phoenix, Arizona 85007-2926

21 Office of Administrative Hearings  
1400 West Washington, Suite 101  
22 Phoenix, Arizona 85007

23   
24 Maidene Scheiner  
25  
26

RECEIVED

FEB 09 2016

AZ DEPT. OF INSURANCE  
ADMINISTRATIVE SERVICES

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 15A-136-INS

TAMMY PING GARMON  
(Arizona License #1083636)  
Respondent.

ADMINISTRATIVE  
LAW JUDGE DECISION

**HEARING:** January 20, 2016

**APPEARANCES:** Respondent Tammy Ping Garmon did not appear. The Arizona Department of Insurance was represented by Assistant Attorney General Liane Kido.

**ADMINISTRATIVE LAW JUDGE:** Tammy L. Eigenheer

**FINDINGS OF FACT**

1. At all times material to this matter, Tammy Ping Garmon (Respondent) was licensed by the Arizona Department of Insurance (Department).

2. On August 4, 2014, the Department issued Respondent an accident/health producer and a life producer license, license number 1083636 (License), which expires on May 31, 2018. See Exhibit 2.

3. Steven Fromholtz, Producer Licensing Administrator of the Licensing Section of the Department, testified that when an application for a license is received and processed, it is forwarded to the Arizona Department of Public Safety (DPS) for processing, which includes processing by the Federal Bureau of Investigation (FBI) for a criminal history background check to be conducted. The Department submits the completed fingerprint forms supplied by the applicant to DPS and DPS submits the fingerprint forms to the FBI for national processing.

4. On February 9, 2015, the Department issued a letter to Respondent by mail, informing her that her fingerprint card that was submitted during the application process for the License could not be processed and was returned by DPS as illegible. See Exhibit 3. In that letter, the Department requested that Respondent submit a replacement set of fingerprints and enclosed a blank Illegible Fingerprint Replacement

1 Form. *Id.* The Department provided a deadline of March 11, 2015, for the return of the  
2 completed replacement fingerprint form. *Id.*

3 5. Because the Department did not receive the requested replacement  
4 fingerprint form from Respondent as requested, the Department sent another letter to  
5 Respondent dated June 9, 2015, giving Respondent a deadline of July 9, 2015, to file  
6 with the Department an Illegible Fingerprint Replacement Form with a new set of  
7 fingerprints or submit a Voluntary Surrender of Insurance License Form. See Exhibit 4.  
8 The Department indicated that the failure to respond to the letter would result in the  
9 initiation of disciplinary action being taken against the License. *Id.*

10 6. Upon realizing the June 9, 2015 letter was sent to the same address as  
11 the February 9, 2015 letter, the Department sent another letter to Respondent dated  
12 July 31, 2015, giving Respondent a deadline of August 24, 2015, to file with the  
13 Department an Illegible Fingerprint Replacement Form with a new set of fingerprints or  
14 submit a Voluntary Surrender of Insurance License Form. See Exhibit 5. The  
15 Department indicated that the failure to respond to the letter would result in the  
16 initiation of disciplinary action being taken against the License. *Id.*

17 7. Mr. Fromholtz testified that to date, Respondent had not responded to the  
18 above-mentioned letters and had not submitted to the Department a new set of  
19 fingerprints.

20 8. Respondent did not present any evidence to refute or rebut the evidence  
21 presented by the Department.

#### 22 CONCLUSIONS OF LAW

23 1. This matter is a disciplinary proceeding wherein the Department must  
24 prove by a preponderance of the evidence that Respondent violated the State's  
25 Insurance Laws. See A.A.C. R2-19-119.

26 2. During the application process, the Director of the Department required  
27 Respondent to submit a full set of fingerprints and Respondent's illegible fingerprint  
28 submission did not satisfy that requirement. See A.R.S. § 20-285(E)(2).  
29  
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