

AUG 08 2019

STATE OF ARIZONA DEPT OF INSURANCE
DEPARTMENT OF INSURANCE BY mek 8/8/19

In the Matter of:

AUGUSTIN, RAMONA ANUHEA
(National Producer Number 18907994)

Respondent.

No. 19A-049-INS

ORDER

On July 29, 2019, the Office of Administrative Hearings, through Administrative Law Judge Antara Nath Rivera, issued an Administrative Law Judge Decision ("Recommended Decision"), received by the Director of the Department of Insurance ("Director") on August 1, 2019, a copy of which is attached and incorporated by this reference. The Director of the Department of Insurance has reviewed the Recommended Decision and enters the following Order:

1. The Director adopts the Recommended Findings of Fact, Conclusions of Law and Recommended Order.
2. The Director revokes the Arizona resident insurance producer license of **Ramona Anuheia Augustin**, National Producer Number 18907994, 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 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 Director to the Superior Court of
2 Maricopa County for judicial review pursuant to A.R.S. § 20-166. A party filing an appeal
3 must notify the Office of Administrative Hearings of the appeal within ten days after filing
4 the complaint commencing the appeal, pursuant to A.R.S. § 12-904(B).

5 DATED this 7th day of August, 2019.

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11 Keith A. Schraad, Director
12 Arizona Department of Insurance

11 **COPY** of the foregoing mailed this
12 9th day of August, 2019, to:

13 Ramona Anuhea Augustin
14 US Health Group
15 4747 N. 7th Street
16 Phoenix, AZ 85014
17 Respondent

18 Ramona Anuhea Augustin
19 1120 N. 88th Street
20 Mesa, AZ 85207
21 Respondent

22 Office of Administrative Hearings
23 1740 West Adams St., Lower Level
24 Phoenix, Arizona 85007

25 **COPY** of the foregoing delivered, same date, to:

26 Mary Kosinski, Regulatory Legal Affairs Officer
Catherine O'Neil, Consumer Legal Affairs Officer
Steven Fromholtz, Assistant Director – Consumer Protection Division
Aqueelah Currie, Licensing Supervisor
Sharyn Kerr, Consumer Protection Division
Arizona Department of Insurance
100 North 15th Ave., Suite 102
Phoenix, Arizona 85007-2624

1 **COPY** sent same date via electronic mail to:

2 Ramona Anuhea Augustin
3 anuheaprescott@yahoo.com
4 Respondent

5 Ramona Anuhea Augustin
6 raugustin@ushealthgroup.com
7 Respondent

8 Deian Ousounov
9 Assistant Attorney General
10 AdminLaw@azag.gov
11 Attorney for the Department of Insurance

12 Susan Hack
13 Susan.hack@azag.gov
14 Attorney General Paralegal

15 Felicia DelSol
16 Felicia.DelSol@azoah.com
17 Office of Administrative Hearings

18 
19 Francine Martinez

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AUG 01 2019

DEPT. OF INSURANCE
BY: mk

IN THE OFFICE OF ADMINISTRATIVE HEARINGS

In the Matter of:

No. 19A-049-INS

Augustin, Ramona Anuhea
(National Producer No. 18907994)
Respondent

ADMINISTRATIVE LAW JUDGE
DECISION

HEARING: July 17, 2019

APPEARANCES: Respondent did not appear. The Arizona Department of Insurance was represented by Assistant Attorney General Deian Ousounov.

ADMINISTRATIVE LAW JUDGE: Antara Nath Rivera

FINDINGS OF FACT

1. On September 11, 2018, Respondent Ramona Anuhea Augustin (Respondent) submitted to the Arizona Department of Insurance (Department) an application (Application) for an Insurance License. Respondent provided a residence address of 1120 North 88th Street, Mesa, AZ, 85207 and a business address of 4747 North 7th Street, Phoenix, AZ 85014. Respondent provided a business email address of raugustin@ushelathgroup.com and an individual email address of anuheaprescott@yahoo.com. Respondent provided a residence phone number of 808-375-4308 and a business phone number of 602-387-9027.

2. On the application, Respondent answered "no" to the following questions:

1A: Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?

1B: Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?

3. The Application provided the following attestation:

I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

1 4. Because Respondent's application, on its face, did not raise any issues,
2 the Department licensed Respondent as an Insurance Producer with an accident and
3 health or sickness line of authority, under License Number 18907994, on September
4 19, 2018. The license expires on November 30, 2021.

5 5. Through the background check, the Department discovered that, on or
6 after September 24, 1998, Respondent entered a guilty plea for one felony count of
7 Robbery, in Punchbowl First Circuit Court in Honolulu, Hawaii. Respondent was
8 sentenced to 5 years of probation, 200 hours of community service, and was required
9 to pay restitution. On or about October 27, 2003, Respondent pled guilty to a violation
10 of her probation.

11 6. The Department presented the testimony of Aqueelah Currie (Ms. Currie),
12 Licensing Supervisor, who testified consistently with the facts detailed above. Ms.
13 Currie testified that due to the nature of the conviction and Respondent's untruthfulness
14 on the application, there was a concern of the Respondent's moral turpitude.

15 **CONCLUSIONS OF LAW**

16 1. This matter lies within the Department's jurisdiction.¹

17 2. The Department bears the burden of proof to establish by a
18 preponderance of the evidence, that discipline is warranted.² "A preponderance of the
19 evidence is such proof as convinces the trier of fact that the contention is more
20 probably true than not."³

21 3. A.R.S. § 20-295(A) provides in pertinent part that:

22 The director may deny, suspend for not more than twelve months, revoke
23 or refuse to renew an insurance producer's license or may impose a civil
24 penalty in accordance with subsection F of this section or any
25 combination of actions for any one or more of the following causes:

26 1. Providing incorrect, misleading, incomplete or materially untrue
27 information in the license application.

28 ¹ See A.R.S. §§ 20-281 to 20-302.

29 ² See A.R.S. § 41-1092.07(G)(1); A.A.C. R2-19-119; see also *Vazanno v. Superior Court*, 74 Ariz. 369,
30 372, 249 P.2d 837 (1952).

³ MORRIS K. UDALL, ARIZONA LAW OF EVIDENCE § 5 (1960).

