

APR 02 2019

STATE OF ARIZONA  
DEPARTMENT OF INSURANCE

DEPT OF INSURANCE  
BY MEK

In the Matter of:

**VERGARA, JUANITA M. aka GUILLEN,  
JUANITA VERGARA**  
(National Producer No. 18955429)

No. 19A- 055 -INS  
**CONSENT ORDER**

Respondent.

The State of Arizona Department of Insurance ("Department") has received evidence that **Juanita M. Vergara ("Respondent")** violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Finding of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

**FINDINGS OF FACT**

1. Respondent is, and was at all material times, licensed as an Arizona resident navigator, National Producer Number 18955429. Respondent's license expires on September 30, 2022.

2. Respondent's addresses of record with the Department are: 3101 N. 47<sup>th</sup> Dr., Phoenix, AZ 85031 (business and mailing) and [jvergara@keoghhealth.org](mailto:jvergara@keoghhealth.org) (business e-mail).

3. On or about October 26, 2018, Respondent submitted an application for an Arizona navigator license ("Application") to the Department.

4. In the Application, in Section V. Additional Information, Respondent answered "No" to the question C.1. which asks:

1 C.1. "Has the applicant EVER been found guilty of, have you had a  
2 judgment made against you for, or have you admitted to, any of the  
3 following: 1. A felony (of any kind)?

4 6. The Federal Bureau of Investigations conducted a criminal history check  
5 of Respondent's fingerprint card and notified the Department that Respondent had the  
6 following conviction:

7 a. April 19, 1991, Narcotic Drug Posses/Use, a class 4 felony, for which  
8 the Court sentenced Respondent to 3 months incarceration and 4 years of  
9 probation in State of Arizona v. Juanity Vergara Guillen; CR1991-001207.

10 7. Respondent dated and signed the Attestation section of the Application.

#### 11 CONCLUSIONS OF LAW

12 1. The Director has jurisdiction over this matter.

13 2. Respondent's conduct, as described above, constitutes having been  
14 convicted of a felony, within the meaning of A.R.S. § 20-295(A)(6) as applied to  
15 navigators pursuant to A.R.S. § 20-336.06.

16 3. Respondent's conduct, as described above, constitutes obtaining or  
17 attempting to obtain a license through misrepresentation or fraud, within the meaning of  
18 A.R.S. § 20-295(A)(3) as applied to navigators pursuant to A.R.S. § 20-336.06.

19 4. Grounds exist for the Interim Director to suspend for not more than twelve  
20 months or revoke Respondent's insurance producer license, pursuant to A.R.S. § 20-  
21 295(A) as applied to navigators pursuant to A.R.S. § 20-336.06.

22 5. Grounds exist, in addition to or instead of any suspension, revocation or  
23 refusal to renew a license, for the Director to impose a civil penalty of not more than  
24 \$250.00 for each unintentional failure or violation, up to an aggregate civil penalty of  
25 \$2,500.00, or impose a civil penalty of not more than \$2,500.00 for each intentional



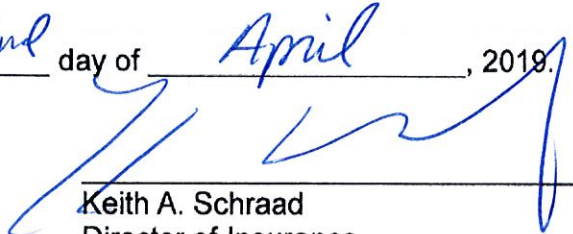
1 failure or violation, up to an aggregate penalty of \$15,000.00, pursuant to A.R.S. § 20-  
2 295(F) as applied to navigators pursuant to A.R.S. § 20-336.06.

3  
4 **ORDER**

5 IT IS HEREBY ORDERED THAT:

6 1. **Juanita M. Vergara**, National Producer Number 18955429, shall  
7 immediately pay a civil money penalty of \$150.00 for deposit into the State General  
8 Fund.

9 Effective this 2nd day of April, 2019.

10  
11   
12 \_\_\_\_\_  
13 Keith A. Schraad  
14 Director of Insurance

15  
16 **CONSENT TO ORDER**

17 1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of  
18 Law and Order.

19 2. Respondent admits to the jurisdiction of the Interim Director of Insurance,  
20 State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of  
21 the foregoing Conclusions of Law and Order.

22 3. Respondent is aware of her right to notice and a hearing at which she may  
23 be represented by counsel, present evidence and examine witnesses.

24 4. Respondent irrevocably waives her right to such notice and hearing and to  
25 any court appeals relating to this Consent Order.

...

...

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

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

9           7.     Respondent acknowledges that this Consent Order is an administrative  
10 action that the Department will report to the National Association of Insurance  
11 Commissioners (NAIC). Respondent further acknowledges that she must report this  
12 administrative action to any and all states in which she holds an insurance license and  
13 must disclose this administrative action on any license application.  
14

15  
16 2/15/2019  
Date

Juanita M. Vergara  
Juanita M. Vergara, NPN 18955429

17  
18  
19  
20  
21  
22 **COPY** of the foregoing delivered by regular mail  
this 5<sup>th</sup> day of April, 2019, to:

23 Juanita M. Vergara  
24 3101 N. 47<sup>th</sup> Dr.  
25 Phoenix, AZ 85031  
Respondent

1 **COPY delivered same date to:**

2 Mary Kosinski, Regulatory Legal Affairs Officer  
3 Catherine M. O'Neil, Consumer Legal Affairs Officer  
4 Steven Fromholtz, Assistant Director, Consumer Protection Division  
5 Aqueelah Currie, Licensing Supervisor  
6 Sharyn Kerr, Consumer Protection Division  
7 Arizona Department of Insurance  
8 2910 N. 44<sup>th</sup> Street, Suite 210  
9 Phoenix, Arizona 85018-7269

10 **COPY delivered electronically, same date to:**

11 Juanita M. Vergara  
12 jvergara@keoghhealth.org  
13 Respondent

14   
15 Francine Martinez