

STATE OF ARIZONA
Department of Insurance and Financial Institutions
FILED August 20, 2024 by MK

STATE OF ARIZONA

DEPARTMENT OF INSURANCE AND FINANCIAL INSTITUTIONS

In the Matter of:

No. 24A-065-INS

JOSHUA WALKER

CONSENT ORDER

(National Producer No. 20699761)

Respondent.

The Arizona Department of Insurance and Financial Institutions (“Department”) has received evidence that Joshua Walker (“Respondent”), violated provisions of Arizona Revised Statutes (“A.R.S.”) Title 20. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true, and consents to the entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent was at all material times licensed as an Arizona non-resident insurance producer, National Producer Number 20699761, with lines of authority in accident and health of sickness and life insurance. The Department first licensed Respondent on May 2, 2023. Respondent’s license is scheduled to expire on April 30, 2027.

2. Respondent’s mailing and business address of record with the Department is 2071 Rugby Ave, College Park, Georgia 30337, and his email addresses is live4nowinsurance@gmail.com.

1 3. On or about January 23, 2024, the Department received a Notice of
2 Termination letter from Aetna Health and Life Insurance Company (“Aetna”) stating, in
3 part, that Respondent “has been terminated for cause” because Respondent “committed
4 dishonest acts by intentionally and fraudulently submitting enrollment applications for
5 Medicare beneficiaries without their consent.”

6 4. The Department commenced an investigation into this matter. The
7 Department’s investigation found the following:

8 a) On or about February 16, 2024, Aetna provided to the Department a copy of
9 its investigative report related to Respondent’s misconduct. A review of the
10 report revealed that Respondent “[a]dmitted to enrolling the members solely
11 based upon a list [he] received from [his] lead vendor, Fiverr, not ever having
12 discussed the MAPD selection with the beneficiaries.” A review of the Aetna
13 report also revealed that two (2) Arizona consumers (M.P. and K.L.) were
14 affected by Respondent’s actions. Furthermore, on or about January 17, 2024,
15 Respondent paid \$74,500.00 in unearned premium back to Aetna for
16 improperly issued policies.

17 b) On or about April 26, 2024, the Department requested a response to the
18 allegations from Respondent.

19 c) On the same date, April 26, 2024, Respondent provided his response to the
20 Department’s request. Respondent did not deny allegations and stated
21 “[d]uring my initial AEP, being relatively new to the industry, I encountered
22 leads on Fiverr that were believed to be consented to enroll. Along with three

1 other agents, I proceeded with enrollments under this assumption. However,
2 upon realizing the lack of consent, we promptly informed Aetna and diligently
3 worked to disenroll all members before any plans became effective.”
4 Respondent further stated that a representative for Fiverr informed him that
5 consumer’s consent was collected digitally.

6 d) On or about May 14, 2024, the Department received a copy of the
7 Compensation Summary from Aetna indicating that Respondent still owes
8 \$125.50 in unearned premium to Aetna.

9 e) On or about August 2, 2024, following the conclusion of the above
10 investigation, the Department received another complaint against Respondent
11 alleging that Respondent enrolled without consent an unidentified number of
12 consumers, possibly Arizona consumers too, in Devoted Health Plan. The
13 Department’s investigation into this matter is pending.

14 **CONCLUSIONS OF LAW**

15 5. The Director has jurisdiction over this matter.

16 6. Respondent’s conduct, as described above, constitutes a violation of Title 20
17 or any rule, subpoena or order of the Director. A.R.S. § 20-295(A)(2).

18 7. Respondent’s conduct, as described above, constitutes using fraudulent,
19 coercive or dishonest practices, or demonstrating incompetence, untrustworthiness or
20 financial irresponsibility in the conduct of business in this state or elsewhere. A.R.S. § 20-
21 295(A)(8).

22 8. Grounds exist, for the Director to deny, suspend for not more than twelve

1 months, revoke or refuse to renew Respondents’ insurance producer licenses. A.R.S. § 20-
2 295(A).

3 **ORDER**

4 **IT IS HEREBY ORDERED THAT:**

5 1. Joshua Walker’s Arizona non-resident insurance producer license, National
6 Producer License Number 20699761, is revoked effective immediately.

7 2. Joshua Walker is ordered to refund an unearned premium of \$125.50 to Aetna.

8

9 Effective this 20th day of August, 2024.

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Barbara D. Richardson

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Barbara D. Richardson
Cabinet Executive Officer
Executive Deputy Director
Arizona Department of Insurance and Financial Institutions

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CONSENT TO ORDER

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1. Respondent acknowledges that they have been served with a copy of the foregoing Consent Order in the above-referenced matter, have read it, are aware of their right to an administrative hearing in this matter and have knowingly and voluntarily waived that right.

2. Respondent accepts the personal and subject matter jurisdiction of the Department over them in this matter.

3. Respondent acknowledges that no promise of any kind or nature has been made to induce them to sign the Consent to Order and they have done so knowingly and voluntarily.

4. Respondent acknowledges and agrees that the acceptance of this Consent to Order by the Director is solely to settle this matter and does not preclude the Department from instituting other proceedings as may be appropriate now or in the future. Furthermore, and notwithstanding any language in this Consent Order, this Consent Order does not preclude in any way any other state agency or officer or political subdivision of this state from instituting proceedings, investigating claims, or taking legal action as may be appropriate now or in the future relating to this matter or other matters concerning Respondent, including but not limited to violations of Arizona’s Consumer Fraud Act. Respondent acknowledges that, other than with respect to the Department, this Consent Order makes no representations, implied or otherwise, about the views or intended actions of any other state agency or officer or political subdivision of the state relating to this matter or other matters concerning Respondent.

1 6. Respondent waives all rights to seek an administrative or judicial review or
2 otherwise to challenge or contest the validity of this Consent Order and its accompanying
3 parts before any court of competent jurisdiction.

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

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10 08/09/2024

11 DATE



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JOSHUA WALKER
(NATIONAL PRODUCER NO. 20699761)

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COPY of the foregoing delivered via email
this ~~th~~²⁰ day of ^{August}, 2024, to:

Joshua Walker
2071 Rugby Ave
College Park, Georgia 30337
Live4nowinsurance@gmail.com
Respondent

COPY of the foregoing delivered/mailed same date, to:

Deian Ousounov, Chief Financial Deputy Director
Alena Caravetta, Regulatory Legal Affairs Officer
Ana Starcevic, Project Specialist
Rachel Smith, Investigator
Catherine O’Neil, Consumer Regulatory Affairs Officer
Steven Fromholtz, Division Manager, Licensing
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Mayra Kariem