

JAN 11 2011

DEPT OF INSURANCE  
BY MS

STATE OF ARIZONA

DEPARTMENT OF INSURANCE

In the Matter of: )  
 )  
O'NEIL, DEBORAH ARLENE, )  
(License number # # 943197) )  
(NPN # 13843923) )  
 )  
Respondent )

No. 10A-161-INS

CONSENT ORDER

Hearing 02/08/11, 8:00 a.m.  
ALJ Lewis Kowal

The State of Arizona Department of Insurance ("Department") has received evidence that Deborah Arlene O'Neil 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. Deborah Arlene O'Neil ("Respondent") is, and was at all material times licensed as a resident life and variable life/variable annuities producer, Arizona license number 943197 which expires October 31, 2012.

2. Respondent's mailing, business and residence addresses of record with the Department are: c/o Simwey Financial Group, 9185 W. Thunderbird Rd., #C 104, Peoria, Arizona 85381 (business and mailing); 13601 N. Newcastle Dr., Sun City, Arizona 85351 (residence).

3. On or about May 5, 2009, the Department issued to Respondent an insurance license as a resident life and variable life/variable annuities producer, Arizona license number 943197.

4. On September 2, 2009, the Department notified Respondent by mail at her business/ mailing address of record that her fingerprint card had been processed and returned by the Arizona Department of Public Safety (DPS) as illegible. The Department requested a

1 replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement  
2 Form" on or before October 2, 2009.

3 5. On December 28, 2009, the Department notified Respondent a second time by  
4 mail at her residence address of record that it was about to initiate an administrative action  
5 against her license for failure to comply with the fingerprint requirement. The Department  
6 requested a response by January 31, 2010.

7 6. To date, Respondent has not submitted a full set of fingerprints to the  
8 Department.

### 9 CONCLUSIONS OF LAW

10 1. The Director has jurisdiction over this matter.

11 2. Respondent's conduct as described above constitutes the violation of the  
12 requirement that an applicant submit a full set of fingerprints to the Department within the  
13 meaning of A.R.S. § 20-285(E)(2).

14 3. Respondent's conduct as described above constitutes providing incomplete  
15 information in the license application within the meaning of A.R.S. § 20-295(A)(1).

16 4. Respondent's conduct as described above constitutes the violation of any  
17 provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of  
18 A.R.S. §20-295(A)(2).

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

IT IS HEREBY ORDERED THAT:

1. Respondent may surrender her insurance producer license, Arizona license number 943197.
2. The hearing, Docket #10A-161-INS, scheduled for February 8, 2011, at 8:00 a.m. is vacated.

DATED AND EFFECTIVE this 11<sup>th</sup> day of January 2011.

  
\_\_\_\_\_  
CHRISTINA URIAS  
Director of Insurance

**CONSENT TO ORDER**

1. Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
2. Respondent admits to the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing Conclusions of Law and Order.
3. Respondent is aware of her right to notice and a hearing at which she may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives her right to such notice and hearing and to any court appeals relating to this Consent Order.
4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to her to induce her to enter into this 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  
11 1/03/11  
12       Date

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12       Deborah Arlene O'Neil, Arizona License # 943197

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16 COPIES of the foregoing mailed/delivered  
17 this 11<sup>th</sup> day of January, 2011, to:

18 Deborah Arlene O'Neil  
19 18047 Kindred Court  
20 Lakeville, MN 55044  
21 Respondent

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

1 Lewis Kowal, Administrative Law Judge  
Office of Administrative Hearings  
2 1400 West Washington, Suite 101  
Phoenix, AZ 85007

3  
4 *Mardene Schermer*  
Curvey Walters Burton *for*

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