STATE OF ARIZONA FILED

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DEPARTMENT	OF INSURANCE
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In the Matter of:)
in the watter or,) No. 16A-054-INS
OADOLA ELIA) 140. TOA-004-1140
GARCIA, ELIA,)
(Arizona License # 1118112))
(National Producer # 17673327)) CONSENT ORDER
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Respondent.)
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The State of Arizona Department of Insurance ("Department") has received evidence that **ELIA GARCIA** 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. Elia Garcia, ("Respondent") is and was at all material times licensed as a resident accident/health insurance producer, Arizona license number 1118112, which expires August 31, 2019.
- 2. Respondent's addresses of record with the Department are: c/o Humana Inc., 2231 E. Camelback Rd., Phoenix, AZ 85016 (business and mailing).
- 3. On or about August 3, 2015, the Department issued to Respondent a license as a resident accident/health insurance producer, Arizona license number 1118112.
- 4. On November 10, 2015, the Department notified Respondent by mail at her 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 replacement set of fingerprints along with a completed "Illegible Fingerprint Replacement Form" on or before December 9, 2015. Respondent did not reply to the Department's request.

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- 5. On February 4, 2016, the Department notified Respondent a second time by mail at her address of record that her fingerprints had been returned by DPS as illegible and that the Department was about to initiate an administrative action against her license for failure to comply with the fingerprint requirement. The Department requested a response by March 4, 2016.
- 6. To date, Respondent has not submitted a full set of fingerprints to the Department.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes the violation of the requirement that an applicant submit a full set of fingerprints to the Department within the meaning of A.R.S. § 20-285(E)(2).
- 3. Respondent's conduct as described above constitutes providing incomplete information in the license application within the meaning of A.R.S. § 20-295(A)(1).
- 4. Respondent's conduct as described above constitutes the violation of any provision of A.R.S. Title 20 or any rule, subpoena or order of the director within the meaning of A.R.S.§ 20-295(A)(2).
- 5. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§ 20-295(A) and (F).

ORDER

IT IS HEREBY ORDERED THAT:

- Respondent shall immediately submit her fingerprints and an Illegible Fingerprint
 Replacement Form to the Department.
- Respondent shall pay a civil penalty of one hundred dollars (\$100.00) to the
 Department, due upon the submission of this Consent Order.

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3. The hearing, Docket #16A-054-INS, scheduled for September 27, 2016, at 1:00 p.m. is vacated.

DATED AND EFFECTIVE this 6th day of September, 2016.

Derive f. Hess

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

1	6. Respondent acknowledges that this Consent Order is an administrative action
2	that the Department will report to the National Association of Insurance Commissioners
3	(NAIC). Respondent further acknowledges that she must report this administrative action to
4	any and all states in which she holds an insurance license and must disclose this
5	administrative action on any license application.
6	8/15/16 Date ELIA GARCIA, Arizona License # 1118112
7 8	COPIES of the foregoing mailed/delivered this 14 day of September 2016, to:
9 0 1	Elia Garcia 1102 W. Peoria Avenue, Unit 3 Phoenix, Arizona 85029 Respondent
2 3 4	Mary Kosinski, Executive Assistant for Regulatory Affairs Steven Fromholtz, Assistant Director for Consumer Protection Arizona Department of Insurance 2910 North 44th Street, Suite 210 Phoenix, Arizona 85018
5	COPIES of the foregoing delivered electronically, same date, to:
16 17	Kay Abramsohn, Administrative Law Judge Office of Administrative Hearings
8	Liane C. Kido Assistant Attorney General Attorney for the Department
19 20 21	Maidene Scheiner 5258476