

M. GALE LEMMON #4363 *BMC*
Assistant Attorney General
MARK L. SHURTLEFF #4666
Attorney General
Attorneys for Utah Insurance Department
160 East 300 South, Fifth Floor
PO Box 140874
Salt Lake City, Utah 84114
Telephone: (801) 366-0375

BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

COMPLAINANT:

UTAH INSURANCE DEPARTMENT

RESPONDENT:

DENISE NORBERG
75 South 500 West #200
Bountiful, UT 84010
License # 393050

STIPULATION AND ORDER

Docket No. 2012-019 LC

Enf. Case No. 3041

STIPULATION

1. Respondent, Denise Norberg is a licensed customer service representative in the State of Utah, holding license number 393050.

2. Respondent stipulates with the Complainant, Utah Insurance Department, as follows:

- a. If a hearing were held, witnesses called by the Complainant could offer and introduce evidence that would support the Findings of Fact herein;
- b. Respondent admits the Findings of Fact and Conclusions made therefrom;
- c. Respondent stipulates to the summary entry of the Order herein which

shall be in lieu of other administrative proceedings by Complainant in this matter; and

- d. Respondent and Complainant have negotiated the terms of the Order entered herein and Respondent agrees to its entry and further agrees to be bound by all its terms.

3. Respondent is aware of her right to a hearing at which she may be represented by counsel, present evidence and cross-examine witnesses. Respondent has irrevocably waived her right to such hearing and to any appeal related thereto.

4. Respondent admits the jurisdiction of the State of Utah Insurance Commissioner as to all matters herein.


5. Respondent is acting herein free from any duress or coercion of any kind or nature, having been advised fully as to her rights set forth herein.

6. Respondent acknowledges that the issuance of this Order by the Commissioner is solely for purpose of disposition of the matter entitled herein.

DATED this 30 day of January, 2012.



DENISE NORBERG



UTAH INSURANCE DEPARTMENT
M. Gale Lemmon
Assistant Attorney General

Based upon the foregoing Stipulation and information in the file, the Presiding Officer makes the following Findings of Fact:

FINDINGS OF FACT

1. On or about February 3, 2011, the Utah Insurance Department initiated an investigation into and audit of Dentist Direct LLC, a licensed Utah resident third party administrator and producer holding license numbers 247045 (TPA) and 103945 (Resident Producer Organization) respectively.

2. On April 14, 2011, the Department requested Dentist Direct LLC to provide information pertinent to an audit. The request included a list of staff, both licensed and unlicensed. Dentist Direct LLC provided names of three individuals listed as administrative staff. The Respondent was one of the staff listed.

3. On or about June 1, 2011, the Department requested the job duties of Respondent. Dentist Direct LLC provided a list of the duties which included activities such as client service/client relations, quote processing, billing and eligibility determination. At that time, Respondent was not licensed as a Customer Service Representative.

4. Respondent obtained the proper license immediately after being notified of the violation.

5. The Department recommends and Respondent Denise Norberg agrees to an administrative forfeiture in the amount of \$1,500 with \$750 being stayed pending successful completion of 12 months probation.

Based upon the foregoing Stipulation and Findings of Fact, the Presiding Officer enters the following Conclusions of Law:

CONCLUSIONS OF LAW

1. Utah Code Ann. § 31A-23a-103 states in part:

(1) (a) Unless exempted from the licensing requirement under Section 31A-23a-201 or 31A-23a-207, a person may not perform, offer to perform, or advertise any service as a producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary in Utah, without a valid individual or agency license issued under this chapter.

(b) A valid license includes at least one license type and one line of authority pertaining to that license type.

(c) A person may not utilize the services of another as a producer, limited line producer, customer service representative, consultant, managing general agent, or reinsurance intermediary if that person knows or should know that the other does not have a license as required by law.

4. Respondent was in violation of the above provision when she performed Customer Service Representative duties while not licensed as a Customer Service Representative.

5. An administrative forfeiture in the amount of \$1,500 with \$750 being stayed or suspended pending successful completion of 12 months probation is appropriate.

Based upon the foregoing Stipulation, Findings of Fact and Conclusions of Law, the Presiding Officer herewith enters the following Order:

ORDER

IT IS HEREBY ORDERED:

1. Respondent Denise Norberg is hereby assessed an administrative forfeiture in the amount of \$1,500. Seven hundred fifty dollars of the forfeiture is stayed and suspended pending

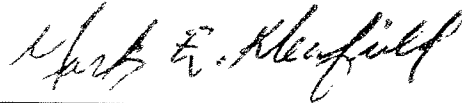
successful completion of probation.

2. Seven hundred fifty dollars shall be paid to the Department within 30 days of issuance of this order.

3. Respondent's license is placed on probation for the period of 12 months beginning with the date of this Order. The terms of probation are that Respondent shall timely pay the portion of the forfeiture assessed herein that has not been stayed, and shall have no further violations of the Insurance Code, Department Rules, or any order of the Commissioner.

DATED this _____ day of FEB 14 2012, 2012.

NEAL T. GOOCH
Insurance Commissioner



MARK E. KLEINFELD
Administrative Law Judge
Utah Insurance Department
3110 State Office Building
Salt Lake City, UT 84114
Telephone 801-538-3800

NOTIFICATION

Respondent is hereby notified that failure to abide by the terms of this Order may subject you to further penalties, including additional forfeitures of up to \$2,500.00 per violation and the suspension or revocation of your license, and the filing of an action to enforce this Order in the District Court, which may impose penalties of up to \$10,000.00 per day for continued violation.

You are further notified that other jurisdictions in which you may be licensed may require that you report this action to them