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BEFORE THE INSURANCE COMMISSIONER
OF THE STATE OF UTAH

UTAH INSURANCE DEPARTMENT,	STIPULATION AND ORDER
Complainant,	
v.	Docket No. 2016-136 LC
JOEY S WEBB AGENCY 5221 West 3500 South, Suite 104 West Valley City, UT 84120-2817 License #475338	Enf. Case No. 3849
Respondent.	Bret Randall, J.D. Administrative Law Judge

STIPULATION

The Utah Insurance Department ("Department"), by and through its legal counsel, and Joey S. Webb Agency ("Respondent"), hereby stipulate and agree as follows:

1. Respondent is currently an active Resident Producer Organization, and holds license number 475338.
 2. The Department has jurisdiction over the parties and subject matter of this administrative action.
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3. Respondent acknowledges notice of agency action pursuant to Utah Code § 63G-4-202; and irrevocably waives the right to any hearing, review or appeal concerning this matter.

4. This signed Stipulation and Order, along with the Findings of Fact and Conclusions of Law below, shall not be subject to any reconsideration, renegotiation, modification, hearing or agency review or appeal.

5. The Findings of Fact and Conclusions of Law presented below are accepted by the parties.

6. The issuance of the signed and adopted Order proposed below is solely for the purpose of disposing of the specific matter entitled herein.

7. The only promises, agreements and understandings that the parties have regarding this matter are contained in this Stipulation.

8. Respondent enters into this Stipulation voluntarily, knowingly, and free from any coercion of any kind.

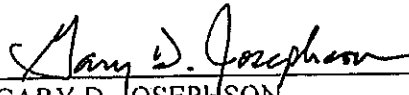
9. The person signing this Stipulation on behalf of the named parties hereby affirms that they are authorized to sign and bind the parties.

DATED this 24 day of January, 2017.



JOSEPH SAMUEL WEBB, Principle
JOEY S. WEBB AGENCY

DATED this 25th day of January, 2017.


GARY D. JOSEPHSON
Assistant Attorney General
UTAH DEPARTMENT OF INSURANCE

Based upon the foregoing Stipulation and Department file, the presiding officer makes the following findings of facts:

FINDINGS OF FACT

1. Respondent became licensed as an individual producer in the State of Utah on January 9, 2013.
2. A 2015 Internal Audit Investigation Report by Respondent's insurer found that Respondent had directed employees (team members) to forge insurance payment plan applications and discount forms. On December 4, 2015, Respondent reported to the Department that he had told his producers that if they absolutely could not contact the new client to return the SFPP form, and they had given their verbal permission at the point of sale, that they could write the insured's initials on the SFPP form.
3. Respondent knowingly allowed forged documents to be submitted to the insurer.
4. Even though Respondent was previously advised of statutory requirements to designate individual producers to the agency and to obtain an agency license, Respondent failed to designate all individual producers that were acting on behalf of the agency.
5. Respondent failed to report two terminations for cause concerning two producers. The reasons for terminations included directing team members to forge insurer payment plan applications and steer clear discount forms.

6. On August 17, 2015, an internal email between Joey Webb and representatives of the insurer stated the following:

a. "I feel that a lot of the situations stemmed from the same issue, which was a major lack of management and oversight of my team. Another issue was my team member training process."

b. "I am now aware of the extreme deficit I had as a manager and not being attentive to the day to day activities that were going on."

7. Respondent failed to designate all individual producers that were acting on behalf of the agency.

8. Respondent appears to have implemented appropriate procedures and practices within the agency which should correct the problems.

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

CONCLUSIONS OF LAW

1. In violation of Utah Code §§ 31A-23a-111(5)(b) (ii, xv, xvi, xviii and xxiv), and 31A-23a-111(5)(c) and (d)(ii), Respondent admitted to negligent supervision of the agency.
2. In violation of Utah Code § 31A-23a-111(5)(b)(xviii), Respondent allowed producers to forge another's name to insurance applications and documents related to insurance transactions.
3. In violation of Utah Code § 31A-23a-302(2)(b) and (7)(a); and Utah Admin. Rule R590-244-12(2) and (3), Respondent failed to report terminations for cause concerning two producers.

4. In violation of Utah Code Sec.31A-23a-302(2)(a) and (7)(a) and Utah Admin. Rules R590-244-12(1), Respondent allowed non-designated producers to represent the agency.
4. In violation of Utah Code § 31A-2-202(6), Respondent failed to submit accurate and complete information to the commissioner.
5. Based on the facts, Respondent committed unfair marketing practices under Utah Code § 31A-23a-402(1)(a).
6. Based on the facts, Respondent demonstrated untrustworthiness under Utah Code § 31A-23a-111(5)(b)(xvi)(B).
8. In violation of Utah Code § 31A-23a-111(5)(b); § 31A-23a-302(3)(a)(i) and (7)(a); and Utah Admin. Rule R590-244(12)(2) and (3); Respondent failed to report terminations for cause concerning two producers.

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

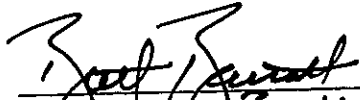
ORDER

IT IS HEREBY ORDERED:

Respondent Joey S Webb Agency is hereby assessed an administrative forfeiture in the total amount of \$9,500.00, which is to be paid to the Department in six (6) consecutive monthly payments. The first five monthly payments will be in the amount of \$1583.33 due before the first of each month, with the first payment due before March 1, 2017. The sixth and final monthly payment in the remaining amount of \$1,583.35 and is due before August 1, 2017.

DATED this 25th day of January, 2017.

TODD E. KISER
Insurance Commissioner


Bret Randall, J.D. Brett S. Barratt
Administrative Law Judge
Utah Insurance Department

NOTIFICATION TO RESPONDENT

You are hereby notified that a failure to obey an Order of the Commissioner may subject you to further penalties, including forfeitures of up to \$5,000 per violation and the suspension or revocation of your license and the filing of an action in district court, which may impose forfeitures of up to \$10,000 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.