



Department that Employer had terminated Respondent for cause effective August 30, 2019.

4. Employer informed the Department that Respondent had fabricated an email communication pertaining to the terms and conditions of a group policy, and made the fabricated email appear as if it had come directly from an employee of Employer.

5. On or about November 4, 2019, the Department opened a market conduct investigation regarding Respondent.

6. On November 4, 2019, a market conduct examiner from the Department contacted Respondent to discuss her termination by Employer.

7. During that discussion, Respondent admitted that she had:

a. fabricated an email communication pertaining to the terms and conditions of a group policy, and

b. fabricated the email to appear as if it had come directly from an employee of Employer.

#### **CONCLUSIONS OF LAW**

1. The Utah Insurance Commissioner (“Commissioner”) has jurisdiction over the parties and this adjudicative proceeding pursuant to Utah Code §§ 31A-1-105 and 31A-2-201.

2. The Commissioner has legal authority to impose penalties on the Department’s licensees who violate the Utah Insurance Code. *See* Utah Code § 31A-2-308.

3. Respondent’s conduct set forth above in the Findings of Fact, violates the following Utah insurance laws:

a. Utah Code § 31A-23a-111(5)(b)(xxiv), engaging in a method or practice in the conduct of business that endangers the legitimate interests of customers and the public.

b. Utah Code § 31A-23a-111(5)(b)(xiii), intentionally misrepresenting the terms of an insurance contract.

c. Utah Code § 31A-23a-111(5)(b)(xv), admitting or having been found to have committed an insurance unfair trade practice or fraud.

d. Utah Code § 31A-23a-111(5)(b)(xviii), forging another's name to a document related to an insurance transaction.

4. The recommended forfeiture amount of \$1,224.16, and probation for a term of twelve (12) months are appropriate under the circumstances.

#### **ORDER**

Based on the foregoing Findings of Fact and Conclusions of Law, it is hereby Ordered that:

1. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

2. Respondent is placed on probation for a period of twelve (12) months beginning on the date this Order is signed. During the probationary period, Respondent shall have no further violations of Utah insurance laws. Respondent shall check in and/or meet with market conduct examiner Bill Stimpson or another assigned market conduct examiner on a quarterly basis beginning 90 days from the date this Order is signed. Mr. Stimpson can be reached through the Utah Insurance Department, (801) 538-3800, or [wstimpson@utah.gov](mailto:wstimpson@utah.gov).

3. Respondent shall pay a forfeiture in the amount of \$1,224.16.

4. Respondent's failure to comply with the terms of this Order shall result in additional penalties and forfeitures, which may include the Department moving to revoke Respondent's

individual resident producer license.

DATED this 11<sup>th</sup> day of March, 2020

TODD E. KISER  
Utah Insurance Commissioner

  
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Lisa Watts Baskin  
Presiding Officer  
Utah Insurance Department

### NOTICE TO RESPONDENT

Failure to obey the Order may subject you to further penalties that include forfeitures of up to \$2,500 per violation, license suspension or revocation, and/or further enforcement action before the Utah District Court where forfeitures of up to \$10,000 may be imposed. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.