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BEFORE THE UTAH INSURANCE COMMISSIONER

UTAH INSURANCE DEPARTMENT, Complainant, vs. SEGURO MEDICO LLC, Respondent.	FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER Docket No. 2021-4364 Donald H. Hansen Administrative Law Judge/Presiding Officer
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Complainant, Utah Insurance Department ("Department") and Respondent, Seguro Medico LLC ("Respondent"), have stipulated to entry of the following Findings of Fact, Conclusions of Law, and Order. Based upon that stipulation, and good cause appearing, the following are made and entered:

FINDINGS OF FACT

1. Respondent is a nonresident producer agency holding license number 765109.
2. The agency owner is Arthur Walsh Jr. who holds individual non-resident producer license number 764103.
3. Respondent's mailing address is Corporation Trust Center, 1209 Orange Street,

Wilmington, DE 19801.

3. Mr. Walsh's license was inactive between June 29, 2021, and November 23, 2021.

His affiliation with Respondent became active on December 1, 2021.

4. During the time that Mr. Walsh's license was inactive, Respondent did not have anyone else affiliated to the agency with an active license.

5. Between June 29, 2021, and December 1, 2021, Respondent wrote six Utah policies.

6. The Department and Respondent have agreed to an administrative forfeiture of \$750.00.

CONCLUSIONS OF LAW

1. The Utah Insurance Commissioner ("Commissioner") has jurisdiction over the parties and this informal 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. Utah Code § 31A-2-308.

3. Utah Code § 31A-23a-103 provides that a person may not act as an insurer without a valid individual license. Respondent violated this provision when the agency sold six Utah policies without any affiliated producers with an active license.

4. Utah Admin Code R590-244-5 provides that a person must have an active license and be designated from the agency if selling, soliciting, or negotiating insurance on behalf of an agency. Respondent violated this provision when Mr. Walsh's license lapsed and the agency did not have anyone else affiliated with active licenses.

5. As penalties for the violations in this case, Respondent should be ordered to pay a forfeiture of \$750.00.

ORDER

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

1. Respondent shall pay a forfeiture of \$750.00 for the violations described in the Conclusions of Law.
2. Respondent is ordered not to commit the violations described in the Conclusions of Law in the future.

DATED this 27th day of December, 2021.

JONATHAN T. PIKE
Utah Insurance Commissioner

/s/ Donald H. Hansen
DONALD H. HANSEN
Administrative Law Judge/Presiding Officer
Utah Insurance Department
4315 S. 2700 W., Suite 2300
Taylorsville, UT 84129
Telephone: (801) 957-9321
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NOTICE TO RESPONDENT

Failure to obey this Order may subject you to further penalties that include a forfeiture of up to \$2,500 per violation, with each day of the violation constituting a separate violation. Other penalties for failing to obey this Order may include license suspension, probation, refusal to renew, or revocation. Failure to obey this Order may also result in an action taken against you in a court of competent jurisdiction where forfeitures of up to \$10,000 for each day the failure to comply continues until judgment is rendered. If you are licensed in other jurisdictions, you may be required to report this proceeding to those jurisdictions.

CERTIFICATE OF SERVICE

The undersigned certifies that on this date a true and correct copy of the foregoing Findings of Fact, Conclusions of Law and Order was emailed to:

Arthur Walsh Jr.

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Helen A. Frohlich
Assistant Attorney General
hfrohlich@agutah.gov

DATED this 27th day of December, 2021.

/s/ Jeanine Couser
Jeanine Couser
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