



D. KENT MICHIE  
Insurance Commissioner  
Utah Insurance Department

JON M. HUNTSMAN, JR.  
Governor

JOHN 'MICKEY' BRAUN, JR., CIE  
Assistant Commissioner  
Office of the Commissioner

## Bail Bond Oversight Board Meeting

### Meeting Information

**Date:** January 16, 2008

**Time:** Noon

**Place:** Beehive Room, East Bldg.

### Board Members

(Attendees = x)

xDominic Sanone, Chairman  
xClayton A. Simms, LLC  
xCamille L. Neider  
Mickey Braun

xWayne Carlos, Vice-Chairman  
xMichael Weddington  
Bert Christenson

### Insurance Department Staff

xPerri Babalis  
xJilene Whitby

xDarrel Powell  
Robert Herrera

xTara Buehner

xTracy Klausmeier

### Public

Thomas Hatrick

M. Tresner

## Minutes

### Welcome

### *Executive Session (Closed to the Public)*

### *General Session (Open to the Public)*

- **Adoption of Minutes of Previous Meeting**

Camille made a **motion** to approve the minutes, Wayne seconded it and the vote was unanimous.

- **Approval of Recommended Actions from Executive Session**

Camille made a **motion** to approve the department's recommendation to increase the fine on Case #1, Wayne seconded it and the vote was unanimous in its favor.

- **Application** / Mickey Braun

None

- **Old Business**

- **Review Minimum Percentage Charge Rule**

Tracy noted that new wording had been added to R590-186-5.A.(2) allowing the department to verify, by audit, the information submitted on the annual list of discounted bonds issued by an agency. Camille asked how the department would know if someone issues more than 12 discounted bonds? Tara said the department would audit agencies yearly or every other year and when a complaint is received. Subsection (29) specifies the number and method in which discount bonds can be issued. Subsection (30) states that the failure to keep good business records is unprofessional conduct.

- **Dominic and Wayne asked that wording be added that if payment has not been made after 180 days, then the account must be sent to an outside collection agency.**

Discussion commenced as to the definition of "legal collection." It would mean a licensed collection agency, but would it also include a letter from the attorney. Mike

felt that if a letter from an attorney didn't work then the next step must be a collection agency. Tracy will change the wording to reflect this and come up with a definition of "legal collection." She will also need to include the requirement to keep a record of the date the last payment was received so the 180-day deadline can be determined.

- Camille asked if this would be a problem for those collecting small amounts. Dominic said such bonds must either be counted as discounted bonds or collected on.
- **Public Board Member Still Needed**  
An application from Megan I. Corrent of Draper Utah was received and reviewed by the Board. Darrel said he had no issue with it. Mike made the **motion** to recommend Corrent to the Commissioner. Tara will see that Mickey receives the application with the request to seek the Commissioner's approval.
- **Unpaid forfeitures** / Dominic  
Dominic asked if the department would send all state courts a letter reminding them that forfeitures are to be sent to the department and not State Collections. Tara did not think this would be a problem. Mike asked that the Board be sent a copy of the letter.
- **OJ's Bail** / Wayne  
The judge in this case has ordered that 15% of O.J.'s bail be paid up front. No collateral or premium was collected on the first bond.
- **New Business**
  - **Fingerprinting Requirement for Licensure** / Tara Buehner  
Effective November 30, 2007 all new license applicants will need to submit fingerprint cards. BCI fingerprint cards are not acceptable. Prometric is the provider of this service. At some future date renewing agents will also need to submit fingerprints.
  - **HIPAA Law** / Wayne
    - Wayne asked what the HIPAA Law was. Perri said it was a federal privacy law regulating those that electronically bill insurance. Wayne said some jail personnel were citing this law as the reason they could not release personal information on individuals being released from jail.
    - Thomas said that Salt Lake Courts would not give him booking photos. Perri said she would talk with Mickey about scheduling a meeting with courts to discuss this issue.
  - Tracy noted that courts were not accepting legal size mortgage deeds due to a law that was passed last year and went into effect the first of this year. They charge a \$2 service fee for each filed legal size document.
- **Adjourn**  
At 1:05pm Mike made a motion to adjourn, Clayton seconded it and the vote was unanimous.

### 2008 Meetings

	Jul 16, Rm 1112
Feb. 20, Heber Wells	Aug 20, 1112
Mar 19, Rm 1112	Sep 17, 1112
Apr 16, 1112	Oct 15, 1112
May 21, 1112	Nov 19, 1112
Jun 18, 1112	Dec 17, 1112