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**FILED**  
**MAR 24 2014**  
Department of Insurance  
State of Idaho

*Attorneys for Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF  
INSURANCE,

Complainant,

vs.

JEREMY WAYNE AMORIM, an Idaho  
resident insurance producer holding Idaho  
Resident Insurance Producer License No.  
460390,

Respondent.

Docket No. 18-2927-14

**ORDER OF DEFAULT REVOKING  
IDAHO RESIDENT INSURANCE  
PRODUCER LICENSE**

The Director of the Idaho Department of Insurance (Director), having reviewed the record on file herein; and it appearing therefrom that JEREMY WAYNE AMORIM, the Respondent herein, has been duly served with a copy of the "Complaint for Revocation of Idaho Resident Insurance Producer License" (Complaint) filed on February 24, 2014, by the Idaho Department of Insurance (Department) in this administrative proceeding, which Complaint, a copy of which is attached hereto as Exhibit A, alleged violations of the Idaho Insurance Code;

and it further appearing, as shown by the Affidavit of A. René Martin, Deputy Attorney General, on file in this proceeding, that the Respondent has failed to request a hearing or to otherwise dispute in writing the allegations set forth in such Complaint; and good cause appearing therefor,


NOW, THEREFORE, IT IS HEREBY ORDERED that Idaho Resident Insurance Producer License No. 460390 issued to JEREMY WAYNE AMORIM is HEREBY REVOKED.

IT IS FURTHER ORDERED that JEREMY WAYNE AMORIM shall immediately return Idaho Resident Insurance Producer License No. 460390 to the Idaho Department of Insurance at P.O. Box 83720, Boise, Idaho 83720-0043.

**IT IS SO ORDERED.**

DATED this 24<sup>th</sup> day of March, 2014.

STATE OF IDAHO  
DEPARTMENT OF INSURANCE

*For*   
WILLIAM W. DEAL  
Director

**NOTICE REGARDING REPORTABLE PROCEEDINGS**

The foregoing is considered a reportable administrative proceeding. As such, it is a public record and is public information that may be disclosed to other states and reported to companies as to which the Respondent is actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the online searchable database of the Idaho Department of Insurance. The Respondent should be aware that this proceeding must be disclosed on any insurance license application and must be reported to any and all states in which the Respondent holds an insurance license.

### **NOTIFICATION OF RIGHTS**

This Order constitutes a final order of the Director. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The Director will dispose of the petition for reconsideration within twenty-one (21) days of its receipt, or the petition will be considered denied by operation of law. *See*, Idaho Code § 67-5246(4).

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order may appeal it by filing a petition for judicial review in the district court of the county in which: (1) the hearing was held; or (2) the final agency action was taken; or (3) the aggrieved party resides or operates its principal place of business in Idaho; or (4) the real property or personal property that was the subject of the agency decision is located. An appeal must be filed within twenty-eight (28) days of: (a) the service date of this final order; or (b) an order denying a petition for reconsideration; or (c) the failure within twenty-one (21) days to grant or deny a petition for reconsideration, whichever is later. *See*, Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal.

### CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 24th day of March, 2014, I caused a true and correct copy of the foregoing ORDER OF DEFAULT REVOKING IDAHO RESIDENT INSURANCE PRODUCER LICENSE to be served upon the following by the designated means:

Jeremy Wayne Amorim  
267 Ridgeway Drive  
Twin Falls, ID 83301-3143

- ☒ first class mail
- ☒ certified mail
- ☐ hand delivery
- ☐ via facsimile

A. Rene Martin  
Deputy Attorney General  
Idaho Department of Insurance  
700 W. State Street  
P.O. Box 83720  
Boise, ID 83720-0043

- ☐ first class mail
- ☐ certified mail
- ☒ hand delivery

  
\_\_\_\_\_  
Teresa Jones

LAWRENCE G. WASDEN  
Attorney General

A. RENÉ MARTIN – ISB # 3188  
Deputy Attorney General  
State of Idaho  
Department of Insurance  
700 W. State Street, 3<sup>rd</sup> Floor  
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**FILED** *ty*  
**FEB 24 2014**  
Department of Insurance  
State of Idaho

*Attorneys for the Department of Insurance*

**BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE  
OF THE STATE OF IDAHO**

STATE OF IDAHO, DEPARTMENT OF  
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Complainant,

vs.

JEREMY WAYNE AMORIM, an Idaho  
resident insurance producer holding Idaho  
Resident Insurance Producer License No.  
460390,

Respondent.

Docket No. 18-2927-14

**COMPLAINT FOR REVOCATION  
OF IDAHO RESIDENT INSURANCE  
PRODUCER LICENSE**

COMES NOW the State of Idaho, Department of Insurance (Department), by and through its counsel, A. René Martin, Deputy Attorney General, to complain and allege as follows:

1. This administrative proceeding is brought under the provisions of the Idaho Insurance Code, Idaho Code § 41-101 *et seq.*, including Idaho Code § 41-1016, which authorizes

the Department to initiate a contested case against an Idaho-licensed insurance producer, seeking revocation of the insurance producer's license, as well as the imposition of administrative penalties, if the Director of the Department (Director) finds, as to the licensee, that any one (1) or more of the causes or violations enumerated in subsections (1)(a) through -(n) of that section exist.

### **RESPONDENT**

2. JEREMY WAYNE AMORIM (Respondent) is a resident of the state of Idaho and is an Idaho-licensed insurance producer, currently holding Idaho Resident Insurance Producer License No. 460390. Such license was issued on September 23, 2013, and authorizes the Respondent to transact disability insurance in Idaho.

### **FACTS**

3. On or about September 20, 2013, the Respondent filled out and submitted to the Department an application for an Idaho resident insurance producer license (Application).

4. Question No. 1 of the Application inquired: "Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?" The Respondent answered "No."

5. A background check conducted by the Department's licensing staff as part of the application review process revealed to the Department that the Respondent was convicted of multiple misdemeanor narcotics and domestic violence crimes in California between approximately 2002 and 2008.

6. On or about December 19, 2013, a Department staff member wrote to the Respondent requesting that the Respondent provide certain information to the Department concerning the Respondent's criminal history, pursuant to Idaho Code § 41-247. Such request

was served on the Respondent via certified mail addressed to the Respondent at his mailing/residential address of record with the Department. On December 23, 2013, the Department received a return receipt for such certified mailing signed by Shaun Parks.

7. On or about February 4, 2014, a Department staff member again wrote to the Respondent requesting that the Respondent provide certain information to the Department concerning the Respondent's criminal history, pursuant to Idaho Code § 41-247. Such request was served on the Respondent via regular, first class mail addressed to the Respondent at his mailing/residential address of record with the Department. Such mailing was not returned to the Department as undeliverable.

8. As of the date of this Complaint, no response to the Department's requests for information pursuant to Idaho Code § 41-247, as reflected in paragraphs 6 and 7 above, has been received.

### **CONCLUSIONS OF LAW AND VIOLATIONS**

#### ***COUNT ONE: PROVIDING INCORRECT, MISLEADING, INCOMPLETE, OR MATERIALLY UNTRUE INFORMATION IN THE LICENSING APPLICATION***

9. Paragraphs 1 through 8 above are incorporated fully herein by this reference.

10. Idaho Code § 41-1016(1)(a) provides that the Director may revoke or refuse to continue an insurance producer license issued under chapter 10 of the Idaho Insurance Code, if the licensee provides incorrect, misleading, incomplete, or materially untrue information in the license application.

11. In view of the Respondent's criminal convictions described in paragraph 5 above, the Respondent's negative answer to Question 1 of the Application, which question sought information concerning the Respondent's criminal history, authorizes the Director to revoke the

Respondent's Idaho resident insurance producer license, pursuant to Idaho Code § 41-1016(1)(a).

*COUNT TWO: FAILURE TO RESPOND TO DEPARTMENT INQUIRY  
Idaho Code §§ 41-247 and 41-1016(1)(b)*

12. Paragraphs 1 through 8 above are incorporated fully herein by this reference.

13. Idaho Code § 41-247 provides as follows:

The director [of the Department of Insurance] shall have power to direct an inquiry in writing to any person subject to his jurisdiction with respect to any insurance transaction or matter relative to a subject of insurance resident, located, or to be performed in this state. The person to whom such an inquiry is addressed shall upon receipt thereof promptly furnish to the director all requested information which is in his possession or subject to his control.

14. The requests for information described in paragraphs 6 and 7 above constitute written inquiries from the Director within the meaning of Idaho Code § 41-247. The Respondent's failure to promptly respond to the Director's inquiries constitutes a violation of Idaho Code § 41-247.

15. Idaho Code § 41-1016(1)(b) authorizes the Director to revoke the license of an insurance producer who violates any provision of title 41, Idaho Code. The Respondent's violation of Idaho Code § 41-247, as referenced above, authorizes the Director to revoke the Respondent's Idaho resident insurance producer license, pursuant to Idaho Code § 41-1016(1)(b).

**REQUEST FOR RELIEF**

16. Based on the foregoing, and pursuant to Idaho Code § 41-1016(1)(a) and -(b), and Idaho Code § 41-247, the Department prays that the Director enter an order revoking Idaho Resident Insurance Producer License No. 460390 held by the Respondent.



**NOTICE OF RIGHT TO A HEARING**

THE RESPONDENT IS HEREBY NOTIFIED, pursuant to Idaho Code § 41-232A(2), that a written request for a hearing must be filed and served upon the Department within twenty-one (21) days after service of this Complaint. Failure to file and serve a written request for a hearing upon the Department within the twenty-one (21) day time period shall be deemed a waiver of the opportunity for a hearing and to contest the allegations in the Complaint, pursuant to Idaho Code § 41-232A(2).

Any written request for a hearing shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

William W. Deal, Director  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

A copy shall also be provided to the Department's counsel in this matter, A. René Martin, Deputy Attorney General, at the following address:

A. René Martin  
Deputy Attorney General  
Idaho Department of Insurance  
P.O. Box 83720  
Boise, ID 83720-0043

DATED this 24<sup>th</sup> day of February, 2014.

STATE OF IDAHO  
OFFICE OF THE ATTORNEY GENERAL



A. RENÉ MARTIN  
Deputy Attorney General

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on this 24<sup>th</sup> day of February, 2014, I caused a true and correct copy of the foregoing COMPLAINT FOR REVOCATION OF IDAHO RESIDENT INSURANCE PRODUCER LICENSE to be served upon the following by the designated means:

Jeremy Wayne Amorim  
267 Ridgeway Drive  
Twin Falls, ID 83301-3143

☒ first class mail  
☐ certified mail  
☐ hand delivery

Humana Health Plan, Inc.  
321 West Main Street – 12<sup>th</sup> Floor  
Louisville, KY 40202

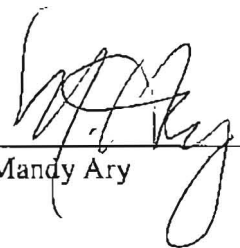
☒ first class mail  
☐ certified mail  
☐ hand delivery

Humana Insurance Company  
1100 Employers Boulevard  
Depere, WI 54115

☒ first class mail  
☐ certified mail  
☐ hand delivery

Kanawha Insurance Company  
210 South White Street  
Lancaster, SC 29720

☒ first class mail  
☐ certified mail  
☐ hand delivery

  
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