FILED

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Department of Insurance State of Idaho

# BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

### STATE OF IDAHO

In the Matter of:

DANIEL GONZALEZ,

Idaho Nonresident Insurance Producer License No. 19591053

Docket No. 18-4164-22

SUMMARY ORDER REVOKING IDAHO NONRESIDENT INSURANCE PRODUCER LICENSE

The Director of the Idaho Department of Insurance ("Director") has received notice that, on August 30, 2022, the State of Florida, Department of Financial Services ("DFS") issued an *Order of Revocation* revoking Daniel Gonzalez' ("Gonzalez") licenses, appointments, and eligibility for licensure for two years. Upon reviewing the *Order of Revocation*, and pursuant to Idaho Code § 41-1016(2)(a), the Director enters this Summary Order Revoking Gonzalez' Idaho Nonresident Producer License No. 19591053.

## FINDINGS OF FACT

- 1. Gonzalez, at all times relevant hereto, was licensed in his home state of Florida as a health insurance agent, under license number W664253.
- 2. On August 30, 2022, the DFS issued a final *Order of Revocation* in case No. 296196-22-AG, revoking Gonzalez's licenses, appointments, and eligibility for licensure for two years.
- 3. The underlying facts leading to the revocation were as follows. On or about April 5, 2022, in the Nineteenth Judicial Circuit Court for St. Lucie County, Florida, in Case No. 56-2021-CF-

002352-A, Gonzalez pled nolo contendere to one count of Battery on a Law Enforcement Officer, a felony. Adjudication of guilt was withheld, and Gonzalez was sentenced to community control for three months followed by two years of probation, court costs and fines.

- 4. On June 14, 2022, the DFS issued an Administrative Complaint charging Gonzalez with violations of the Florida Insurance Code. Gonzalez failed to answer the Administrative Complaint or request a hearing. Accordingly, the factual allegations contained in the Administrative Complaint were incorporated and adopted as the DFS's Findings of Fact, and the violations charged in each count were adopted as the Conclusions of Law. Additionally, an order was entered that revoked Gonzalez' licenses, appointments and eligibility for licensure in Florida for two years.
- 5. Gonzalez has been licensed as an Idaho nonresident insurance producer under Nonresident Producer License No. 19591053, (formerly 807392)<sup>1</sup> since its issuance on October 19, 2020.

#### CONCLUSIONS OF LAW

- 6. Idaho Code § 41-1016(2)(a) provides that the Director shall, without hearing, revoke for not more than 12 months, or shall revoke or refuse to continue any insurance producer license issued under title 41, chapter 10, Idaho Code, where the Director has received a final order of suspension, revocation, or refusal to continue issued by the insurance regulatory official or court of jurisdiction of the licensee's home state.
- 7. The Director finds that the above circumstances justify the revocation of Gonzalez' Idaho nonresident insurance producer license, pursuant to Idaho Code § 41-1016(2)(a).

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<sup>&</sup>lt;sup>1</sup> In September 2022, the Idaho Department of Insurance discontinued issuing separate individual license numbers ("Legacy License ID") and began using the individual's National Producer Number ("NPN") as the Idaho License Number.

# **ORDER**

NOW, THEREFORE, IT IS ORDERED that Idaho Nonresident Producer License issued to Gonzalez is REVOKED, effective immediately.

DATED this <u>30</u> day of <u>September</u> 2022.

STATE OF IDAHO DEPARTMENT OF INSURANCE

DEAN L. CAMERON

Director

### NOTIFICATION REGARDING REPORTABLE PROCEEDINGS

This 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 by which you are actively appointed. This information will be reported to the National Association of Insurance Commissioners (NAIC) and will appear in the Idaho Department of Insurance's online searchable database. Be aware that this proceeding must be disclosed on any license application and must be reported to any and all states in which you hold an insurance license.

## **NOTIFICATION OF RIGHTS**

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

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director Idaho Department of Insurance 700 W. State Street, 3<sup>rd</sup> Floor P.O. Box 83720 Boise, ID 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:

- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or

iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within 28 days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within 21 days to grant or deny a motion 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. Idaho Code § 67-5274.

# **CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that, on this day of day of 2022, I caused a true and correct copy of the foregoing SUMMARY ORDER REVOKING IDAHO NONRESIDENT INSURANCE PRODUCER LICENSE to be served upon the following parties by the method(s) indicated below: d

Daniel Gonzalez 631 SW Cynthia St. Port St. Lucie, FL 34983	<ul> <li>☑ First Class Mail</li> <li>☐ Certified Mail</li> <li>☐ Hand Delivery</li> <li>☐ Facsimile</li> <li>☑ Email: danigon1993@live.com danielhln10@gmail.com</li> </ul>
Daniel Gonzalez 10400 S US Highway 1 Port St. Lucie, FL 34952-5600	<ul> <li>□ First Class Mail</li> <li>□ Certified Mail</li> <li>□ Hand Delivery</li> <li>□ Facsimile</li> <li>□ Email: daniel.gonzalez165035@uhc.com</li> </ul>
Karl T. Klein Deputy Attorney General IDAHO DEPARTMENT OF INSURANCE 700 W. State St., 3 <sup>rd</sup> Floor PO Box 83720 Boise, ID 83720-0043	<ul> <li>☐ First Class Mail</li> <li>☐ Certified Mail</li> <li>☐ Hand Delivery</li> <li>☐ Facsimile</li> <li>☒ Email: karl.klein@doi.idaho.gov</li> </ul>

Penny Wilcox