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FILED
AUG 21 2017
Department of Insurance
State of Idaho

Attorneys for the Department of Insurance

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

CARL D. FRANCE, an individual holding
Idaho Resident Producer License No. 123719

Docket No. 18-3333-17

**STIPULATION and
FINAL ORDER**

The parties herein, the Idaho Department of Insurance and Carl D. France, do hereby agree and stipulate as follows:

1. The Director of the Idaho Department of Insurance ("Director") has jurisdiction over this matter pursuant to title 41, Idaho Code.

2. On July 5, 2017, the Idaho Department of Insurance ("Department") filed and served a Verified Complaint and Notification of Rights ("Verified Complaint") on the Respondent, Carl D. France ("France").

3. The Verified Complaint alleged that, in response to a consumer complaint, the Department sent France at least two written requests for information and documentation related to the subject insurance transaction. The first written request was sent from the Department to France

on March 28, 2017. Another request was sent to France from the Department on April 14, 2017. At the time of the filing of the Verified Complaint on July 5, 2017, the Department had not received the documentation or information requested from France. France's failure to furnish the requested information made it difficult for the Department to complete a thorough investigation of the consumer complaint. The Department alleged that France's failure to promptly furnish the requested information as requested in each instance violated Idaho Code §§ 41-247 and 41-1016(1)(b).

4. In response to the Verified Complaint, France provided the requested information and documentation to the Department on July 12, 2017.

5. In lieu of a hearing, the parties hereto believe that this matter may be brought to a close by a negotiated and stipulated settlement.

6. In consideration of the foregoing, the parties stipulate and agree as follows:

- a. That France admits to having violated Idaho Code §§ 41-247 and 41-1016(1)(b) on two occasions;
- b. That France's Idaho Resident Producer License No. 123719 be suspended for a period of thirty (30) days commencing on the date the Final Order herein is executed by the Director;
- c. That an administrative penalty of \$2,000 shall be imposed against France;
- d. That the \$2,000 administrative penalty shall be paid in full before France's Idaho Resident Producer License No. 123719 is reinstated; and,
- e. That a Final Order setting forth the foregoing may be entered by the Director of the Idaho Department of Insurance.

7. By entering into this Stipulation, France knowingly and voluntarily waives any

rights he would otherwise have to notice and a hearing at which he may be represented by counsel, present evidence, and examine witnesses. The parties hereto further waive their right of reconsideration, appeal, and other rights as set forth in title 67, chapter 52, Idaho Code, including the right to submit this matter for review by a court of competent jurisdiction.

8. The parties agree that the terms of this Stipulation and Final Order are appropriate and proper under the circumstances referenced herein.

9. France acknowledges that he has read this Stipulation and Final Order and understands its contents; that he has been given the opportunity to discuss this Stipulation and Final Order with legal counsel of his choosing; and that he has entered into this Stipulation knowingly, voluntarily, and with full knowledge of any rights he may be waiving thereby.

10. France acknowledges that this is an administrative action that may be required to be reported on license applications and license renewal forms.

11. This Stipulation is subject to approval by the Director or the Director's designee, and shall become effective and binding upon the Department and France upon such approval. Should the Director decline to approve this Stipulation and Final Order, the Department and France shall retain all of their rights, claims and/or defenses, and any factual and/or legal admissions made by France herein shall be withdrawn.

12. This Stipulation constitutes the full and final resolution of all violations alleged in Docket No. 18-3333-17, and the Department agrees that, subject to the Director's approval described in Paragraph 11, and France's compliance with the terms of the Stipulation, the Department shall seek no further sanctions for the violations alleged in the Verified Complaint.

13. This Stipulation and Final Order embodies the entire agreement between the Department and France, and there are no agreements, understandings, representations, or

warranties that are not expressly set forth herein.

14. Upon the Director's entry of the Final Order approving this stipulation, this Stipulation and Final Order shall be a public record under the Idaho Public Records Act.

15. The parties hereto have reviewed the proposed Final Order and agree as to its form and that said Final Order may be submitted to the Director of the Idaho Department of Insurance for his review and signature.

IT IS SO AGREED.

DATED this 10 day of Aug, 2017.



CARL D. FRANCE
Respondent

DATED this 11 day of August, 2017.



ELAINE MELLON
Bureau Chief, Consumer Affairs
IDAHO DEPARTMENT OF INSURANCE

Approved as to Form:

STATE OF IDAHO
OFFICE OF THE ATTORNEY GENERAL



David M. Farney
Deputy Attorney General
Attorney for the Idaho Department of Insurance

FINAL ORDER

The parties hereto, the Idaho Department of Insurance and CARL D. FRANCE, having entered into the foregoing Stipulation, the form of the order having been approved, and the Director having reviewed the same and having found that there is a factual basis for the matters alleged herein, the Director does hereby conclude that CARL D. FRANCE did violate title 41, Idaho Code, as stated in the Stipulation.

NOW, THEREFORE, based on the foregoing and in consideration of the premises,

IT IS HEREBY ORDERED that the foregoing Stipulation is approved and adopted as an Order of the Director, and is incorporated herein as if set forth in full and made a part hereof;

IT IS FURTHER ORDERED that CARL D. FRANCE's Idaho Resident Producer License No. 123719 is suspended for a period of thirty (30) days commencing on the date this Final Order is executed by the Director;

IT IS FURTHER ORDERED that an administrative penalty in the amount of two thousand dollars (\$2,000.00) is imposed against CARL D. FRANCE; and

IT IS FURTHER ORDERED that the foregoing administrative penalty imposed against CARL D. FRANCE shall be paid in full before CARL D. FRANCE's Idaho Resident Producer License No. 123719 is reinstated.

IT IS SO ORDERED.

DATED this 21 day of August, 2017.

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 of 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.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have, on this 21st day of August, 2017, caused a true and correct copy of the foregoing STIPULATION AND FINAL ORDER to be served upon the following by the designated means:

Carl D. France
Medicare Choices of Idaho
2594 E. Margate Court
Eagle, ID 83616-6680

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

Aetna Life Insurance Company
151 Farmington Avenue
Hartford, CT 06156

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

American General Life Insurance Company
2727-A Allen Parkway
Houston, TX 77019

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

American National Insurance Company
One Moody Plaza
Galveston, TX 77550

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

Blue Cross of Idaho Health Service, Inc.
3000 E Pine Ave
Meridian, ID 83642

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

Bridgespan Health Company
PO Box 1271 (MS C7A)
Portland, OR 97207

☐ facsimile

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

Equitable Life & Casualty Insurance Company
3 Triad Center
Salt Lake City, UT 84180-1200

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

Equitrust Life Insurance Company
7100 Westown Pkwy Ste 200
West Des Moines, IA 50266-2521

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

First Health Life & Health Insurance Company
3200 Highland Avenue
Downers Grove, IL 60515

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

Guarantee Trust Life Insurance Company
1275 Milwaukee Avenue
Glenview, IL 60025

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

Humana Health Plan, Inc.
321 West Main Street - 12th Floor
Louisville, KY 40202

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

Humana Insurance Company
1100 Employers Boulevard
Depere, WI 54115

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

Humanadental Insurance Company
1100 Employers Boulevard
Depere, WI 54115

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

The Independent Order of Foresters
789 Don Mills Road
Toronto, ON M3C 1T9
CANADA

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

PacificSource Community Health Plans
PO Box 7068
Springfield, OR 97475-0068

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

PacificSource Health Plans
PO Box 7068
Springfield, OR 97475-0068

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

Regence BlueShield of Idaho, Inc.
1602 21st Avenue
Lewiston, ID 83501-4061

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

Sentinel Security Life Insurance Company
1405 West 2200 South
Salt Lake City, UT 84119

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

Standard Insurance Company
1100 Southwest Sixth Avenue
Portland, OR 97204-1093

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

Symphonix Health Insurance, Inc.
1900 E Golf Rd
Centennial Center
Schaumburg, IL 60173-5834

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

Transamerica Life Insurance Company
4333 Edgewood Rd NE
Cedar Rapids, IA 52499

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

Transamerica Premier Life Insurance Company
4333 Edgewood Rd NE
Cedar Rapids, IA 52499

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

UnitedHealthcare Insurance Company
185 Asylum Street
Hartford, CT 06103

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

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Idaho Department of Insurance
700 W. State Street, 3rd Floor
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☐ facsimile


Pamela Murray