

STATE OF NEW JERSEY
DEPARTMENT OF BANKING AND INSURANCE

IN THE MATTER OF:

Proceedings by the Commissioner of)
Banking and Insurance, State of New Jersey,) **CONSENT ORDER**
to fine, suspend, and/or revoke the)
the insurance producer licenses of)
Juan Huaman, Ref. No. 1245509; Karla V.)
Rojas-Illescas, Ref. No. 1421496; and Angel L.)
Acevedocarrero, Ref. No. 1405997)

To: Angel L. Acevedocarrero
150 Maple Ave., Suite 155
South Plainfield, NJ 07080-3407

This matter, having been opened to the Commissioner of Banking and Insurance (“Commissioner”), State of New Jersey, in Order to Show Cause No. E15-99, upon information that Juan Huaman, currently licensed as a non-resident individual insurance producer pursuant to N.J.S.A. 17:22A-34; Karla V. Rojas-Illescas, currently licensed as a resident individual insurance producer pursuant to N.J.S.A. 17:22A-32; and Angel L. Acevedocarrero, currently licensed as a resident individual insurance producer pursuant to N.J.S.A. 17:22A-32 (collectively, “Respondents”); may have violated various provisions of the insurance laws of the State of New Jersey; and

WHEREAS, Respondents are subject to the provisions of the New Jersey Producer Licensing Act of 2001, N.J.S.A. 17:22A-26 et seq. (“Producer Licensing Act”); Trade Practices Regulated Act, N.J.S.A. 17:29B-1 et seq., and the rules governing same; and

WHEREAS, pursuant to the provisions of N.J.S.A. 17:22A-40 and N.J.S.A. 17:22A-45c, the Commissioner may assess a fine of up to \$5,000 for the first violation, and \$10,000 for each subsequent violation, of the Producer Licensing Act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(2), an insurance producer shall not violate any insurance law, regulation, subpoena or order of the Commissioner; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(8), an insurance producer shall not use fraudulent, coercive or dishonest practices, or demonstrate incompetence, untrustworthiness or financial irresponsibility in the conduct of insurance business; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(16), an insurance producer shall not commit any fraudulent act; and

WHEREAS, pursuant to N.J.S.A. 17:22A-40a(17), an insurance producer shall not knowingly facilitate or assist another person in violating any insurance law; and

WHEREAS, pursuant to N.J.S.A. 17:29B-3, no person shall engage in this State in any trade practice which is defined in this act as or determined pursuant to this act to be an unfair method of competition or an unfair or deceptive act or practice in the business of insurance; and

WHEREAS, pursuant to N.J.S.A. 17:29B-4(2), an insurance producer shall not provide false information and advertising, specifically, an insurance producer shall not make, publish, disseminate, circulate, or place before the public, or cause, directly or indirectly, to be made, published, disseminated, circulated, or placed before the public, in a newspaper, magazine or other publication, or in the form of a notice, circular, pamphlet, letter or poster, or over any radio station, or in any other way, an advertisement, announcement or statement containing any assertion, representation or statement with respect to the business of insurance or with respect to any person in the conduct of his insurance business, which is untrue, deceptive or misleading; and

WHEREAS, pursuant to N.J.A.C. 11:17A-4.2, in cases where an applicant's signature is required, an insurance producer shall witness the signature of a prospective insured on the application prior to the submission of the application to the insurer only when the application is signed by the applicant after having been completed in a face to face meeting between the producer and the prospective insured; and

IT APPEARING, that Anthem, Inc. ("Anthem") is a national health benefits company; and

IT FURTHER APPEARING, that Amerigroup Corporation ("Amerigroup") is an affiliated company of Anthem that manages Medicaid, CHIP, Medicare, ABD, and Long-Term Care programs; and

IT FURTHER APPEARING, that Anthem requires Field Sales Representatives to review Enrollment Forms with applicants for all Amerigroup Medicare Plans to ensure that the form is complete and the information provided is accurate; and

IT FURTHER APPEARING, that Amerigroup Medicare Plans require the Field Sales Representative enrolling an applicant to stamp or write their unique agent number/code on the form; sign the application along with the application received date; and submit the form for processing; and

IT FURTHER APPEARING, that Respondent Rojas-Illescas first became appointed by Amerigroup to sell Amerigroup Medicare Plans on November 11, 2013; and

IT FURTHER APPEARING, that Respondent Acevedocarrero first became appointed by Amerigroup to sell Amerigroup Medicare Plans on November 23, 2013; and

IT FURTHER APPEARING, that Respondent Huaman first became appointed by Amerigroup to sell Amerigroup Medicare Plans on November 1, 2014; and

IT FURTHER APPEARING, that on or about October 14, 2014, Anthem was notified that Respondent Huaman was selling Amerigroup Medicare Plans to individual applicants, even though Respondent Huaman was not appointed to do so; and

IT FURTHER APPEARING, that on or about November 15, 2014, Anthem opened an investigation regarding the allegations that Respondents Rojas-Illescas and Acevedocarrero had each submitted applications for Amerigroup Medicare Plans in their own name, even though the applications were solicited by Respondent Huaman; and

IT FURTHER APPEARING, that between August 1, 2014 and October 31, 2014, there were twenty-two (22) applications submitted by Respondents Rojas-Illescas or Acevedocarrero that were solicited by Respondent Huaman; and

IT FURTHER APPEARING, that on or about November 10, 2014, a representative from Anthem contacted the individual applicants and inquired as to who enrolled them in the Amerigroup Medicare Plans; and

IT FURTHER APPEARING, that twenty-one (21) applicants indicated that Respondent Huaman was the representative who enrolled them in their Amerigroup Medicare Plan, even though the applications were submitted to Anthem by either Respondents Rojas-Illescas or Acevedocarrero, who were the brokers of record; and

IT FURTHER APPEARING, that Respondents Rojas-Illescas and Acevedocarrero conspired with Respondent Huaman to submit Amerigroup Medicare Plan applications that were solicited by Respondent Huaman before Respondent Huaman was appointed by Amerigroup to sell Amerigroup Medicare Plans; and

IT FURTHER APPEARING, that Respondents Huaman and Rojas-Illescas have settled the allegations against them as contained in Order to Show Cause No. 15-99; and

IT FURTHER APPEARING, that Respondent Acevedocarrero now admits that his
aforementioned conduct constitutes violations of N.J.S.A. 17:22A-40a(2), (8), (16), and (17);
N.J.S.A. 17:29B-3 and -4(2); and N.J.A.C. 11:17A-4.2; and

IT FURTHER APPEARING, that cause does exist to impose fines against Respondent
Acevedocarrero; and

IT FURTHER APPEARING, that the parties have come to an amicable resolution of the
present matter wherein Respondent Acevedocarrero has knowingly and voluntarily waived his right
to an administrative hearing before the Office of Administrative Law on the above violations and
consents to the payment of a civil penalty totaling \$7,500 for violations of the Producer Licensing
Act and Trade Practices Regulated Act; and

IT FURTHER APPEARING, that this matter should be resolved upon the consent of the
parties without resort to a formal hearing on the aforementioned violations; and

IT FURTHER APPEARING, that good cause exists to enter into this Consent Order; and

NOW, THEREFORE, IT IS on this 25 day of November, 2016

ORDERED AND AGREED, that Respondent Acevedocarrero admits to the violations of the
Producer Licensing Act and Trade Practices Regulated Act as described above; and

IT IS FURTHER ORDERED AND AGREED, that any future violations of the Producer
Licensing Act by Respondent Acevedocarrero shall be considered a second or subsequent violation;

IT IS FURTHER ORDERED AND AGREED, that Respondent Acevedocarrero shall pay a
civil penalty in the amount of \$7,500 for the violations of the Producer Licensing Act and Trade
Practices Regulated Act admitted herein; and

IT IS FURTHER ORDERED AND AGREED, that said civil penalties shall be paid by certified check, cashier's check, or money order made payable to the "State of New Jersey, General Treasury," due and payable immediately upon the execution of this Consent Order by Respondent Acevedocarrero; and

IT IS FURTHER ORDERED AND AGREED, that the signed Consent Order together with the payment of \$7,500 shall be remitted to:

Adam B. Masef, Deputy Attorney General
State of New Jersey, Division of Law
R.J. Hughes Justice Complex
25 Market Street
P.O. Box 117
Trenton, New Jersey 08625

IT IS FURTHER ORDERED AND AGREED, that the provisions of this Consent Order represent a final agency decision and constitute final resolution of the violations contained herein against Respondent Acevedocarrero only.



Peter L. Hart
Director of Insurance

Consented to as to
Form, Consent and
Entry:



Angel L. Acevedocarrero, individually

Date: 8/18/16

Date: 8/04/2016



Adam B. Masef, DAG
Attorney for the New Jersey
Department of Banking and Insurance