

CONSENT ORDER NO. E17-07

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, revoke, 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: Juan Huaman  
2420 Southwest 3rd Street  
Miami, FL 33135

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 or determined pursuant to the Trade Practices Regulated 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 the Commissioner issued Order to Show Cause No. E15-99 on September 2, 2015, alleging violations of New Jersey Insurance laws by Respondent Huaman; and

IT FURTHER APPEARING, that Count 1 of Order to Show Cause No. E15-99 alleged that Respondent Huaman solicited Amerigroup Medicare Advantage Plan applications before he was appointed by Amerigroup, in violation of N.J.S.A. 17:29B-3 and -4(2); and N.J.S.A. 17:22A-40a(2), (8), (16), and (17); and

IT FURTHER APPEARING, that Respondent Huaman admits and agrees to take responsibility for the violations described in Count 1 of Order to Show Cause E15-99 as described above; and

IT FURTHER APPEARING, that cause does exist under N.J.S.A. 17:22A-40a and 17:22A-45c to impose a fine against Respondent Huaman; and

IT FURTHER APPEARING, that Respondent Huaman 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 \$15,000.00; 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 2<sup>nd</sup> day of February 2017

IT IS ORDERED AND AGREED, that Respondent Huaman shall pay a civil penalty in the amount of \$15,000.00 for the violations of the Producer Licensing Act and Trade Practices Regulated Act admitted herein; and

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

IT IS FURTHER ORDERED AND AGREED, that said civil penalty shall be satisfied upon the following terms and conditions:

1. Respondent Huaman shall immediately remit the signed Consent Order and \$7,500.00 of the civil penalty to the Commissioner, upon execution of this Consent Order by Respondent Huaman, by certified check, official bank check, or money order, and made payable to the "State of New Jersey-General Treasury," and sent to:

Adam B. Masef, DAG  
R.J. Hughes Justice Complex  
25 Market Street  
P.O. Box 117  
Trenton, NJ 08625-0117

2. Thereafter, Respondent Huaman shall remit the remaining balance of the \$15,000.00 civil penalty (\$7,500.00) in 6 monthly installments of \$1,250.00, due on or before the first of each month, beginning February 1, 2017, until the total civil penalty is paid in full. The monthly installments shall be paid by certified check, official bank check, or money order and made payable to the "Commissioner-New Jersey Department of Banking and Insurance," and sent to:


Rose V. McGill  
Collections Department  
New Jersey Department of Banking and Insurance  
20 West State Street, 10th Floor

P.O. Box 325  
Trenton, NJ 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 in Order to Show Cause No. E15-99 against Respondent Huaman only.


  
\_\_\_\_\_  
Peter L. Narit  
Director of Insurance

Consented to as to  
Form, Consent and  
Entry:

  
\_\_\_\_\_  
Juan Huaman, individually

Date: 01/27/2017

Date: 2/1/2017

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