



BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	
)	Division Case No. 89873
MATTHEW B. PANZER; and)	
)	
QUEST HEALTH CORPORATION,)	ORDER AND CONSENT
)	TO ORDER
Respondents)	

COMES NOW the Iowa Insurance Division (“Division”) pursuant to the provisions of the Iowa Insurance Trade Practices—Iowa Code Chapter 507B, the Iowa Licensing of Insurance Producers Act—Iowa Code Chapter 522B, the Iowa Administrative Code 191—Chapters 10 and 15, and seeks the entry of this order (“Order”):

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Nick Gerhart, (“the Commissioner”) administers and enforces the Iowa Insurance Trade Practices—Iowa Code Chapter 507B, the Iowa Licensing of Insurance Producers Act—Iowa Code Chapter 522B and the Iowa Administrative Code 191—Chapter 10 pursuant to Iowa Code § 505.8. The Commissioner has designated the Division to seek enforcement of these provisions.
2. Matthew B. Panzer (“Panzer”) is an individual with a last known residence of 7496 Viscaya Circle, Margate, FL 33063.
3. Panzer is the president of Quest Health Corporation, a Florida corporation, in Pompano Beach, Florida (“Quest”). Quest operates as a business entity insurance producer, but is not licensed in the state of Iowa.
4. Quest has a business address of 150 SW 12th Ave, Suite 430, Pompano Beach, FL 33069.

5. Panzer is the registered agent for Quest.
6. Panzer was licensed with the state of Iowa as an individual non-resident insurance producer from July 16, 2010 through December 31, 2013 and again from February 20, 2015 through present day.
7. Panzer's insurance producer license automatically expired in Iowa on December 31, 2013 and was reissued on February 20, 2015 when Panzer submitted a new application for his non-resident license.
8. From at least November 3, 2011 to present, Panzer has engaged in acts and practices within the state of Iowa constituting violations supporting revocation of his insurance producer license, cease and desist orders, civil penalties and other relief under Iowa Code § 522B, Iowa Administrative Code Chapter 10 and rules adopted pursuant to Iowa Code Chapter 522B.
9. From at least November 3, 2011 to present, Panzer has engaged in unfair and deceptive practices within the state of Iowa supporting cease and desist orders under Iowa Code § 507B.6.
10. From at least November 3, 2011 to present, Quest has engaged in acts and practices within the state of Iowa constituting violations supporting a cease and desist order under Iowa Code § 522B.17.

II. FINDINGS OF FACT

11. Panzer applied for a non-resident license by submitting through the National Insurance Producer Registry a Uniform Application on July 16, 2010. In submitting the Application, Panzer designated the Commissioner as an agent for service of process.
12. The Division ("Division") issued Panzer a license as a non-resident insurance producer on July 16, 2010 and assigned National Producer Number 9669997.

13. Panzer was arrested in Florida on January 3, 2011 and charged with aggravated battery with a deadly weapon, a felony, and possession of drug paraphernalia, a misdemeanor.

14. Panzer pled *nolo contendere* to battery and possession of drug paraphernalia, both misdemeanors.

15. As part of his new application for an Iowa non-resident producer's license, which had previously expired, Panzer completed a new background form on February 20, 2015.

16. Panzer incorrectly answered "no" to the following background question:

- a. Have you ever been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?

III. CONCLUSIONS OF LAW

Count I

Providing Untruthful Answers on Application

18. Panzer provided incorrect and untrue information on his license application when he stated that he had never been convicted of a misdemeanor.

19. Panzer previously pled *nolo contendere* to a misdemeanor charge of possession of drug paraphernalia and he pled *nolo contendere* to a misdemeanor charge of battery in 2011.

20. Panzer's denials were not only incorrect, but also deceptive.

21. Iowa Code § 522B.11(1)(a) provides for the probation, suspension, or revocation of a producer's license and the imposition of civil penalties when a person provides "incorrect, misleading, incomplete, or materially untrue information in the license application."

22. Iowa Code § 522B.17 provides for an order to cease and desist and imposition of civil penalties for any violation of Iowa Code, Chapter 522B.

23. Iowa Code §§ 507B.6 and 507B.7 provide for an order to cease and desist engaging in any unfair or deceptive act, method or practice and the imposition of civil penalties, if the doing so is in the public interest. (See also Iowa Administrative Code rule 191—15.14.)

Count II
Failure of Producer to Report

24. Iowa Code § 522B.16 requires producers to report any criminal prosecution of the individual taken in any jurisdiction to the Commissioner. (See also Iowa Administrative Code rule 191—10.13.)

26. Panzer failed to report misdemeanor convictions to the Commissioner.

27. Under Iowa Administrative Code rule 191—10.13(3), failure to report these prosecutions subject Panzer to revocation of his insurance license and the imposition of civil penalties pursuant to Iowa Administrative Code rule 191—10.20(4).

28. Iowa Code § 522B.17 provides for an order to cease and desist and imposition of civil penalties for any violation of Iowa Code, Chapter 522B.

29. Iowa Code §§ 507B.6 and 507B.7 provide for an order to cease and desist engaging in any unfair or deceptive act, method or practice and civil penalties, if the action is in the public interest. (See also Iowa Administrative Code rule 191—15.14.)

Count III
Failure of Business Entity to Report

30. Iowa Code § 522B.11(3) provides for the suspension or revocation of a business entity's license if "an individual licensee's violation was known or should have been known by a partner, officer, or manager acting on behalf of the business entity and the violation was not reported to the commissioner and corrective action was not taken."

31. Since Panzer is the president of Quest and they were his own violations, he knew of the violations and failed to report the violations to the Commissioner.

32. Quest's failure to report known violations is a deceptive act.

33. Iowa Code § 522B.17 provides for an order to cease and desist and imposition of civil penalties for any violation of Iowa Code, Chapter 522B.

34. Iowa Code §§ 507B.6 and 507B.7 provide for an order to cease and desist engaging in any unfair or deceptive act, method or practice and civil penalties, if the action is in the public interest. (See also Iowa Administrative Code rule 91—15.14.)

III. ORDER

WHEREFORE, IT IS ORDERED pursuant to the powers granted the Commissioner of Insurance by Iowa Code Chapters 507B and 522B:

- A. Panzer shall surrender his non-resident producer license in the state of Iowa on the date of this order;
- B. Panzer is prohibited from transacting any insurance business in this state or from selling, soliciting, or negotiating insurance; managing, supervising, compensating, hiring, employing, approving or evaluating any persons required to be licensed insurance producers in this state; or providing any other insurance services to, receiving any compensation, fee or remuneration for any such insurance services from, or being employed by any person or entity engage in the business of insurance in this state during his lifetime;
- C. Quest is prohibited from engaging in the business of insurance in Iowa; and

D. Panzer shall pay to the State of Iowa, Insurance Division, as costs of investigation and prosecution and payable to the Insurance Enforcement Fund, the amount of \$1200.00. A check made payable to the Iowa Insurance Division should be remitted along with the signed Consent to Order.

SO ORDERED on this 4 day of March, 2016.



NICK GERHART
Iowa Insurance Commissioner

Respectfully submitted,



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CONSENT TO ORDER AND AGREEMENT

I, Matthew B. Panzer, Respondent in this matter, and as president of Respondent Quest Health Corporation, have read, understood, and do knowingly consent to this Order in its entirety. By executing this consent, I understand that I and Quest Health Corporation am waiving our rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review.

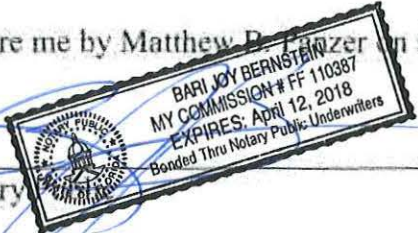
I further understand that this Order is considered final administrative action that may be reported by the Division to the National Association of Insurance Commissioners and to other regulatory agencies. I also understand that this Order is a public record under Iowa Code Chapter 22, that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code section 505.8(8)(d). I also understand that the information contained in the Order will be posted to the Division's web site and a notation will be made to the publicly available web site record that administrative action has been taken against me.

Dated this 26th day of February, 2016.

Matthew Panzer
MATTHEW B. PANZER

150 SW 12th Ave, Pompano Beach, FL 33069
Address of Signatory

Subscribed and sworn before me by Matthew B. Panzer on this 26 day of February, 2016.

[Signature]
Notary


Matthew Panzer
QUEST HEALTH CORPORATION
By Matthew B. Panzer

150 SW 12th Ave, Pompano Beach, FL 33069
Address of Signatory

Subscribed and sworn before me by Matthew B. Panzer on this 26 day of February, 2016.

[Signature]
Notary
