

BEFORE THE IOWA INSURANCE COMMISSIONER

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IN THE MATTER OF  
JILL WHITE  
SALES AGENT 00392

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)

CONSENT ORDER  
DIA NO: 10DOCID010  
DIVISION DOCKET NO: 67013

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COMES NOW the Iowa Insurance Division (Division), pursuant to the provisions of Iowa Code chapter 507B and the Iowa Cemetery and Funeral Merchandise and Funeral Services Act (Act) chapter 523A, regarding Jill White's violations of the Act. Pursuant to negotiation, the Division and White have agreed to enter into this Order and Consent to Order. White admits the violations contained in this Order and consents to the entry of this Order. White admits that the Iowa Insurance Division has personal jurisdiction over her and subject matter jurisdiction over this matter.

**PARTIES AND JURISDICTION**

1. The Commissioner of Insurance, Susan Voss, pursuant to Iowa Code section 505.8 (2009), administers the Iowa Cemetery and Funeral Merchandise and Funeral Services Act.
2. Jill White (Respondent) is an individual with a last known mailing address of 3357 170<sup>th</sup> Street, Yale, Iowa 50277.

**FACTUAL BACKGROUND**

3. In February 2008, Respondent was issued a Sales Agent License pursuant to the Iowa Cemetery and Funeral Merchandise and Funeral Services Act.
4. At the time of submission, Respondent reported that she was affiliated with C. Hastings Funeral Home licensed by the Division as PS00160.

5. On or about March 9, 2009, the Division was notified that Respondent was no longer affiliated with C. Hastings Funeral Home as of February 12, 2009.

6. On or about March 10, 2009, the Division contacted Respondent via email, to request information about her affiliation with a Preneed Seller, as required by statute and to request information required by IAC 523A.502(7), of changes to her appointment within 30 days of any change.

7. On or about September 22, 2009 the Division again attempted contact with Respondent with a second request for the Respondent to update the Division as to changes in her license information.

8. As of March, 2010, Respondent, has not contacted the Division.

**VIOLATIONS OF THE IOWA CEMETERY AND FUNERAL MERCHANDISE AND  
FUNERAL SERVICES ACT**

9. Paragraphs 1-8 are incorporated herein by reference.

10. Pursuant to 523A.502(7), a sales agent shall inform the commissioner of changes in the information required to be provided in the application within 30 days of the change.

11. Respondent has not provided the Division information pertinent to her change in appointment, even after repeated requests from the Division.

12. Respondent has violated Iowa Code section 523A.502A by failing to inform the Division of changes to her appointment status.

13. Iowa Administrative Code 191-105.6(7) requires all sales agents to cooperate with an examination or investigation conducted by the Division.

14. Respondent violated IAC 191-105.6(7) by failing to respond to repeated requests for information from the Division.

**ORDER**

A. It is therefore ordered that Jill White will pay a civil penalty of \$250.

B. Payment will be made to the Division at the time of the signing this Order.

A check totaling \$250.00 should be remitted to the Iowa Insurance Division, 330 Maple Street, Des Moines, Iowa 50319 with attention to Michelle Engler, Enforcement Attorney.

C. White will provide the prior requested information regarding her license to Rhonda.smith@iid.iowa.gov upon the signing of this Order, if not provided sooner.

D. Nothing contained in this Order shall be construed to deprive any person or entity of any private right of action under any law.

E. Nothing contained in this Order shall be construed to limit the authority of the Division to enforce laws, regulations, or rules against Jill White.

F. The Iowa Insurance Division reserves its right to take Administrative Action for any violation of the Iowa insurance statutes and/or regulations unknown to the Division at the date of the signing of this Order and Consent to Order.

Dated this 12<sup>th</sup> day of April, 2010.

Iowa Insurance Division



PHILIP S. DEATS  
Enforcement Bureau Chief

**CONSENT TO ORDER**

Jill White has read, understood, and does knowingly consent to this Order in its entirety. By executing this consent, it is understood that White is waiving her rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review. It is also understood that this Order is a public record under Iowa Code chapter 22 (2010), that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code section 505.8(6)(c) (2009). It is also understood 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 the Respondent.

Dated this 7<sup>th</sup> day of April, 2010.

Jill White  
Jill White

Subscribed and sworn before me by JILL WHITE

on this 7<sup>th</sup> day of April, 2010.

7/27/10

James O Radcliff  
Notary Public for the State of IOWA

Iowa Department of Inspections and Appeals  
Division of Administrative Hearings  
Wallace State Office Building – Third Floor  
Des Moines, Iowa 50319

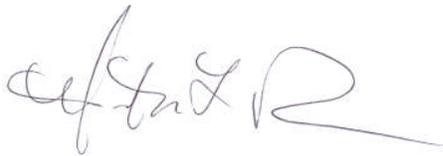
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IN THE MATTER OF ) Docket No. 10DOCID010  
 )  
JILL WHITE ) **DISMISSAL ORDER**  
SALES AGENT 00392 )

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On April 20, 2010 I received a Motion to Dismiss from the Iowa Insurance Division, requesting that the matter be dismissed because the parties have entered into a formal consent agreement. Because no additional issues remain to be decided, this matter is dismissed.

Dated this 21st day of April, 2010.



Heather L. Palmer  
Administrative Law Judge  
515-281-7183

cc: Christina Hazelbaker and Michelle Engler (*via* Electronic Mail)  
Jill White