

BEFORE THE IOWA INSURANCE COMMISSIONER

|                      |   |                                  |
|----------------------|---|----------------------------------|
| IN THE MATTER OF     | ) | Division Case No. 96499          |
|                      | ) |                                  |
| MATTHEW H. MITCHELL, | ) | <b>ORDER REINSTATING LICENSE</b> |
| NPN 11171124,        | ) | <b>AFTER SUSPENSION</b>          |
| DOB 07/24/XXXX,      | ) |                                  |
| Respondent           | ) |                                  |

Pursuant to Iowa Code chapter 522B and Iowa Administrative Code 191—10.10, this matter comes before the Commissioner of Insurance upon an application by Matthew H. Mitchell for the reinstatement of his Iowa insurance producer license.

**I. PARTIES AND JURISDICTION**

1. The Commissioner of Insurance, Doug Ommen, directly and through his designees, administers and enforces the provisions pursuant to Iowa Code § 505.8 and the Iowa Licensing of Insurance Producers Act, chapter 522B.
2. Matthew H. Mitchell, (“Respondent”), is an individual with a last known mailing address of 1001 Grand Avenue, Suite 200, West Des Moines, IA 50265 and a National Producer Number of 11171124.
3. Respondent has filed an application with the Iowa Insurance Division (“Division”) for reinstatement of his suspended license and the Commissioner is authorized to issue this Order pursuant to Iowa Administrative Code rule 191—10.10.

**II. FINDINGS OF FACT**

4. Respondent is licensed as a resident insurance producer in the State of Iowa.
5. Respondent applied for a resident insurance producer license with the Division by submitting through the National Insurance Producer Registry a Uniform Application for

Individual Producer License (“Uniform Application”). In submitting the Uniform Application, Respondent designated the Commissioner as an agent for service of process. The Respondent’s license will expire on July 31, 2020.

6. The Division and the Respondent entered into a consent order filed on February 20, 2018 (“Consent Order”), suspending Respondent’s insurance producer license for a period of thirty days starting February 21, 2018.

7. The application for reinstatement after suspension of Respondent’s insurance producer license was filed with the Division, as required by Iowa Administrative Code 191—10.10, on March 22, 2018 and Respondent has paid the required \$100 reinstatement fee.

8. Respondent’s thirty day suspension period has ended.

9. Respondent has complied with the Consent Order.

### **III. CONCLUSIONS OF LAW**

10. Iowa Administrative Code 191—10.10(2)(a) states that a producer, whose license has been revoked or suspended by order, may apply to the Commissioner for reinstatement of his or her license by filing an application for reinstatement.

11. Respondent has filed the required application of reinstatement and paid the required \$100 reinstatement fee.

12. Iowa Administrative Code 191—10.10(2)(b) states that applications for reinstatement must allege facts sufficient to enable the Commissioner to determine that the basis of the suspension no longer exists.

13. Under Iowa Administrative Code 191—10.10(2), a producer must comply with the terms of the order when applying for reinstatement.

14. Respondent is in compliance with the conditions of the Consent Order issued on February

21, 2018 and has alleged facts in his application that demonstrate that he has ceased engaging in the acts and practices that were the basis of his suspension.

15. Iowa Administrative Code 191—10.10(4) states that an order of reinstatement shall be based upon a written decision containing findings of fact and conclusions of law and may impose such terms and conditions as the Commissioner deems desirable.

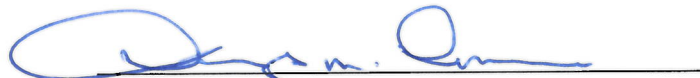
16. As Respondent's suspension has ended and Respondent has complied with the terms of the Consent Order and the rules for applying for reinstatement, an order of reinstatement should be issued pursuant to Iowa Administrative Code 191—10.10.

#### IV. ORDER

**IT IS THEREFORE ORDERED** that:

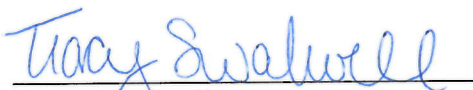
- A. The Iowa resident insurance producer license of Respondent is reinstated; and
- B. Respondent shall immediately be permitted to transact and participate in the business of insurance in Iowa.

SO ORDERED on this 28<sup>th</sup> day of March, 2018.



DOUG OMMEN  
Iowa Insurance Commissioner

Respectfully submitted,



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Iowa Insurance Division  
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CERTIFICATE OF SERVICE

County of Polk            )  
  )  
State of Iowa             )

The undersigned affiant certifies under penalty of perjury and pursuant to the laws of Iowa, on the 25 day of March, 2018, the foregoing order was delivered to the United States Postal Service, postage prepaid, for regular mail and email service to:

Respondent's Counsel:  
David J. Hellstern  
Sullivan & Ward, P.C.  
6601 Westown Parkway, Suite 200  
West Des Moines, IA 50266  
[DHellstern@sullivan-ward.com](mailto:DHellstern@sullivan-ward.com)

The foregoing was also sent by email to Matthew Mitchell at: [matt@midwestmedigap.com](mailto:matt@midwestmedigap.com).

  
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Hilary Foster  
Iowa Insurance Division