

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 73964
)	
DUANE A. CARLSON,)	ORDER FOLLOWING
NPN 6862838,)	LICENSE SUSPENSION AND
DOB 09/16/XXXX,)	EXPIRATION
Applicant.)	

Pursuant to Iowa Code Chapter 522B—Licensing of Insurance Producers and Iowa Administrative Code Chapter 10, this matter comes before the Commissioner of Insurance upon an application by Duane A. Carlson for reissuance of an Iowa insurance producer license.

I. PARTIES AND JURISDICTION

1. The Commissioner of Insurance, Douglas M. Ommen, directly and through his designees, administers and enforces Iowa Code Chapter 522B—Licensing of Insurance Producers and Iowa Administrative Code Chapter 10, pursuant to Iowa Code § 505.8.
2. Duane A. Carlson (“Applicant”) is an individual with a last known mailing address of 306 Luther Street, Luther, Iowa 50152, and a National Producer Number of 6862838.
3. Applicant has filed an application with the Iowa Insurance Division (“Division”) for reissuance of his Iowa insurance producer license and filed an application through the National Insurance Producer Registry (NIPR) for individual producer license.
4. The Commissioner is authorized to issue this order pursuant to Iowa Administrative Code rule 191—10.10.

II. FINDINGS OF FACT

5. Applicant was previously licensed as a resident insurance producer in Iowa from July 24, 1985 until his suspension on April 27, 2012.

6. On January 4, 2012, the Division received a certificate of noncompliance from the Iowa Department of Revenue (“Certificate of Noncompliance”) indicating that Applicant was not in compliance with a qualifying debt being enforced by the Iowa Department of Revenue (“IDR”).
7. On January 18, 2012, the Division mailed Applicant notification of the intent to suspend his insurance producer license if the IDR did not issue a withdrawal of the Certificate of Noncompliance within sixty days.
8. There are no records that either the restricted certified or regular mailing of the notice were returned to the Division. Mr. Carlson called the Division to discuss the notice after he received it.
9. On April 27, 2012, the Division issued an order immediately suspending Applicant’s Iowa insurance producer license (“Order for Suspension”). Applicant was also notified by letter that the reinstatement of his Iowa insurance producer license was contingent upon the IDR issuing a withdrawal of the Certificate of Noncompliance and meeting the Division’s requirements for reinstatement.
10. On September 30, 2013, the Applicant’s license expired.
11. On September 6, 2019, the IDR issued a notice of withdrawal of the Certificate of Noncompliance for Applicant (“Withdrawal”).
12. On November 9, 2020, Applicant passed Accident & Health or Sickness and Life insurance producer exams.
13. On November 12, 2020, Applicant applied for a resident insurance producer license with the Division by submitting through NIPR a Uniform Application for Individual Insurance Producer License (“Uniform Application”).

14. On December 28, 2020, Applicant filed an Iowa insurance producer application for reissuance (“Reissuance Application”), which included a statement that the qualifying debt has been met and the IDR has issued a Withdrawal.

III. CONCLUSIONS OF LAW

15. Iowa Code § 522B.11(1) authorizes a range of disciplinary actions for insurance producers, including suspensions.

16. Iowa Administrative Code rule 191—10.10(7) provides that when a suspension of a producer’s license extends beyond the license expiration date, the license terminates on the license expiration date.

17. Iowa Administrative Code rule 191—10.10(7) provides that a resident producer whose license has been terminated must apply for a new license.

18. Applicant is in compliance with the terms of the Suspension Order and has submitted a Reissuance Application.

19. Applicant has met his burden of establishing that the basis for the suspension, his noncompliance with the IDR, no longer exists.

20. Applicant has satisfied the terms of the suspension order and passed the requisite exams to obtain an Iowa resident insurance producer license.

IV. ORDER

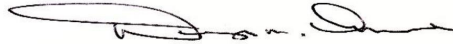
IT IS THEREFORE ORDERED that:

- A. Duane A. Carlson’s Reissuance Application is approved;
 - B. The administrative suspension block is removed from his Iowa licensing record;
- and

C. Duane A. Carlson shall immediately be reissued his resident insurance producer license.

Dated this 25th day of January 2021.

COMMISSIONER OF INSURANCE



Douglas M. Ommen
Commissioner of Insurance

Submitted by,

/s/ Lanny Zieman

Lanny Zieman
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Compliance Attorney
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CERTIFICATE OF SERVICE

County of Polk)
)
State of Iowa)

The undersigned affiant certifies under penalty of perjury that she has entered the above order into the records of the Iowa Commissioner of Insurance and on the 26th day of January, 2021, the foregoing order was delivered to the United States Postal Service, postage prepaid, for first class mail to:

Duane Carlson
306 Luther Street
Luther, IA 50152

I further certify that the foregoing order was sent by email to:

dcarlson051@gmail.com (January 25, 2021)

/s/ Hilary Foster

Hilary Foster
Iowa Insurance Division