

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	Division Case No. 114667
)	
DANA JOHNSON)	ORDER AND CONSENT TO ORDER
NPN 19656989)	
DOB 08/09/XXXX)	
)	
Respondent.)	

NOW THEREFORE, upon motion of the Iowa Insurance Division (“Division”) and by the consent of Respondent, Dana Johnson, pursuant to the provisions of Iowa Code Chapter 522B—Licensing of Insurance Producers, the Commissioner enters the following Order and Consent to Order (“Consent Order”):

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 pursuant to Iowa Code § 505.8.
2. Dana Johnson ("Johnson") is an individual with a last-known residence and mailing address of 3716 Autumn Amber Drive, Spring Hill, Florida 34609. The address provided by Johnson and indicated in her insurance producer licensing record is 9358 Mallard Street, Spring Hill, Florida 34606.
3. Johnson is and has been licensed in the state of Iowa as a nonresident insurance producer since October 22, 2020. She is licensed under National Producer Number 19656989.
4. Pursuant to Iowa Code § 505.28, Johnson consented to the jurisdiction of the Commissioner of Insurance by committing acts governed by chapter 522B.
5. From on or about March 30, 2022 to present, Johnson engaged in acts and practices within the state of Iowa constituting cause for probation, suspension, or revocation of her

insurance producer license; cease and desist orders; and civil penalties or other relief under Iowa Code chapters 505, 507B, 522B, and rules adopted pursuant to these chapters.

II. FINDINGS OF FACT

6. Johnson applied for a nonresident 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, Johnson designated the Commissioner as an agent for service of process.

7. The Division issued Johnson a license as a nonresident insurance producer on October 22, 2020, and assigned to her National Producer Number 19656989.

8. Johnson worked as an independent producer for the United Services Automobile Association ("USAA") from approximately April 6, 2020, until she was terminated for cause on March 30, 2022.

9. On January 22, 2022, Johnson filed a claim for Valuable Personal Property ("VPP") on her and her husband's insurance policy with USAA General Indemnity Company ("USAA GIC"). Johnson reported she lost three (3) pieces of jewelry, two (2) necklaces and one (1) wedding band.

10. On February 25, 2022, Johnson spoke with a USAA claims investigator. She stated that she had traveled to Virginia from January 29, 2022, through February 3, 2022, to care for her parents and daughter who had contracted COVID-19. She claimed that upon returning home, she discovered that she had lost the jewelry. However, the USAA investigator confronted Johnson with evidence that she had not traveled to Virginia, including debit card transactions and USAA account activity that took place in Florida during the time Johnson reported travelling in Virginia. When confronted, Johnson admitted that she was not in Virginia "the whole time" but

maintained that she did travel there. Johnson also expressed that she wished to withdraw her claim.

11. On March 5, 2022, Johnson admitted to a USAA GIC claims investigator that she actually lost the jewelry in her home state of Florida and that she did not travel to Virginia as she previously claimed. She further stated that she found the necklaces, though in a broken condition. She maintained that the wedding band remained lost.

12. On March 30, 2022, USAA terminated Johnson's appointment for cause on the basis of concealing or misrepresenting facts, making false statements, and conducting fraudulent activity in the business of insurance.

Division's Communication Attempts

13. On April 13, 2022, after receiving USAA's notice of Johnson's termination for cause, a Division investigator emailed Johnson a Request for Information ("RFI") using email addresses mrsj1986@gmail.com and djohnsonathome86@yahoo.com. The Division investigator discovered these emails via search of public records. The search was necessary because the Division's licensing record for Johnson contained only USAA emails which were terminated along with her employment.

14. The Division investigator received no notification that either email failed to be delivered.

15. The emailed RFI included a response deadline of April 28, 2022. Johnson failed to respond by that deadline.

16. To date, the Division has not received a response from Johnson to the first RFI.

17. On May 3, 2022, a Division investigator sent a second RFI via certified mail to Johnson's residence address of record. A search of public records confirmed this address.

18. On May 7, 2022, the U.S. Postal Service (“USPS”) attempted to deliver the second RFI to Johnson’s residence. However, because no authorized representative was home to receive the certified mail, USPS left a notice. Johnson never took steps in response to the notice to accept the certified mail.

19. To date, the Division has not received a response to the second RFI.

20. On May 25, 2022, a Division investigator sent a third RFI to Johnson’s residence via FedEx. This RFI included a response deadline of June 19, 2022.

21. FedEx delivery information confirms that the third RFI was successfully delivered on June 26, 2022.

22. To date, the Division has not received a response to the third RFI.

Respondent’s Change of Address

23. On December 22, 2022, Johnson moved from 9358 Mallard Street, Spring Hill, Florida 34606, to 3716 Autumn Amber Drive, Spring Hill, Florida 34609.

24. On January 21, 2023, Johnson failed to timely notify the Division of her change in address.

25. On February 2, 2023, Johnson advised the Division counsel of her change in address. However, to date she has not provided the Division’s Producer Licensing Bureau with her updated address.

III. CONCLUSIONS OF LAW

COUNT I

Fraudulent and/or Dishonest Practices or Demonstrating Untrustworthiness

26. Under Iowa Code § 522B.11(1)(h), a license may be subject to probation, suspension, or revocation and civil penalties may be levied, as provided in Iowa Code § 522B.17, for using

fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

27. Johnson filed a fraudulent insurance claim for VPP on her and her husband's insurance policy. She made several misrepresentations while doing so, including that she had traveled to Virginia when, in fact, she had not.

28. Johnson's acts and practices have been in violation of Iowa Code § 522B.11(1)(h) subjecting Johnson to probation, suspension, or revocation of Johnson's insurance producer license, the imposition of a civil penalty, an order requiring Johnson to cease and desist from engaging in such acts or practices, the imposition of costs of the investigation and prosecution of the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 505.8, 507B.7, 522B.11, and 522B.17.

COUNT II
Failure to Cooperate

29. Under Iowa Code § 522B.11(1)(p), a license may be subject to probation, suspension, or revocation and civil penalties may be levied, as provided in Iowa Code § 522B.17, for failing or refusing to cooperate in an investigation.

30. Johnson failed to cooperate with an investigation by the Division regarding her termination for cause. Specifically, she failed to respond to any of the RFIs sent by the Division's investigator.

31. Johnson's acts and practices have been in violation of Iowa Code § 522B.11(1)(p) subjecting Johnson to probation, suspension, or revocation of Johnson's insurance producer license, the imposition of a civil penalty, an order requiring Johnson to cease and desist from engaging in such acts or practices, the imposition of costs of the investigation and prosecution of

the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 522B.11, 522B.17, and 505.8.

COUNT II
Failure to Update Address

32. Under Iowa Code § 522B.6(7) and Iowa Administrative Code rule 191—10.12(2), a licensee shall inform the Commissioner of a change of address within thirty (30) days of the change.

33. The residence address provided by Johnson and recorded in her producer licensing record is 9358 Mallard Street, Spring Hill, Florida 34606.

34. On December 22, 2022, Johnson moved to 3716 Autumn Amber Drive, Spring Hill, Florida 34609.

35. On January 21, 2023, Johnson failed to provide the Division's Producer Licensing Bureau with an updated address within thirty (30) days.

36. To date, Johnson has failed to provide the Division's Producer Licensing Bureau with an updated address.


37. Johnson's failure to inform the Commissioner of a change in address is a violation of Iowa Code § 522B.6(7) and Iowa Administrative Code rule 191—10.12(2), subjecting Johnson to a penalty, the imposition of costs of the investigation and prosecution of the matter, and any other corrective action the Commissioner deems necessary and appropriate pursuant to Iowa Code §§ 522B.17, 507B.7, and 505.8.

IV. ORDER

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

- A. Johnson's Iowa nonresident insurance producer license is immediately revoked, pursuant to Iowa Code § 522B.17;
- B. Johnson shall, contemporaneously with this Order, pay \$341.25 as the costs of investigation and prosecution pursuant to Iowa Code § 505.8. Payment shall be made payable to the Iowa Insurance Division, to be credited to the Iowa Enforcement Fund, to provide funds for insurance enforcement and education; and
- C. Johnson, pursuant to Iowa Code §§ 507B.7 and 522B.17, shall immediately cease and desist from engaging in the business of insurance in this state.

SO ORDERED on the 27th day of February, 2023.


 DOUGLAS M. OMMEN
 Iowa Insurance Commissioner

Respectfully submitted,



Colin Grace
 Iowa Insurance Division
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 Des Moines, Iowa 50315
 Phone: (515) 654-6560
 Email: colin.grace@iid.iowa.gov
ATTORNEY FOR THE DIVISION

Copy to:

Dana Johnson
 3716 Autumn Amber Drive
 Spring Hill, Florida 34609
mrsj1986@gmail.com
RESPONDENT

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing instrument was served upon all parties to the above cause, or their attorney, at their respective addresses disclosed on the pleadings on February 27, 2023.

By: First Class Mail Personal Service
 Restricted certified mail, return receipt Email, by consent
 Certified mail, return receipt _____

Signature: 
 Brooke Hohn

NOTICE OF PENALTIES FOR WILLFUL VIOLATION OF THIS ORDER

YOU ARE NOTIFIED that acting as an insurance producer, as defined in Iowa Code chapter 522B, in violation of this Order, is a felony under Iowa Code § 507A.10, subjecting you to punishment of imprisonment, jail, fines, or any combination of custody and fines.

YOU ARE ALSO NOTIFIED that if you violate this Order, you may be subject to administrative and civil penalties pursuant to Iowa Code § 522B.17(3). The Commissioner may petition the district court to hold a hearing to enforce the order as certified by the Commissioner. The district court may assess a civil penalty against you in an amount not less than three thousand dollars but not greater than ten thousand dollars for each violation, and may issue further orders as it deems appropriate.

NOTICE REGARDING REISSUANCE

Upon entry of this Order, your insurance producer license will become inactive due to revocation. While your license is inactive, you are prohibited from conducting the business of insurance. Your license will not be active until the Division makes the determination to reissue your insurance producer license by order pursuant to Iowa Administrative Code 191—10.10. Reissuance of your insurance producer license is subject to the discretion of the Commissioner. Additionally, it will not be granted unless and until you have complied with the terms of this Order, made the appropriate Application for Reissuance with the Division, and paid all applicable fees. If applicable, you may also be required to apply for licensure through the National Insurance Producer Registry (NIPR) and pay all applicable fees.

NOTICE OF FINAL ORDER IMPACT

A final order of license revocation or a cease and desist order may adversely affect other existing business or professional licenses and may result in license revocation or disciplinary action.

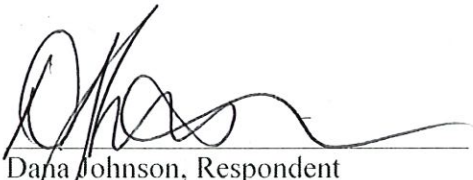
A final order in an administrative action does not resolve any potential criminal or civil violations or causes of action that might arise from the same or similar conduct that is the subject of this this order. It may result in criminal law enforcement authorities, including the fraud bureau of the Iowa Insurance Division, pursuing a criminal investigation or prosecution of potential criminal law violations.

CONSENT TO ORDER AND AGREEMENT

I, Dana Johnson, Respondent in this matter, have read, understood, and do knowingly consent to this Order in its entirety. I understand and acknowledge I have the right to consult with an attorney on this matter if I choose to do so, and acknowledge that the Division cannot provide me an attorney nor can the Division provide me legal advice. By executing this Consent, I understand that I am waiving my rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review.

I further understand this Order is considered a final administrative action that will be reported by the Division to the National Association of Insurance Commissioners and to other regulatory agencies. I also understand this Order is a public record under Iowa Code chapter 22 and information may be shared with other regulatory authorities or governmental agencies, pursuant to Iowa Code § 505.8(8)(d). I also understand this Order will be posted to the Division's website and a notation will be made to the publicly available website record that administrative action has been taken against me.

Dated: 02-13-2023



Dana Johnson, Respondent


3716 Autumn Amber Dr Spring Hill FL 34607

Address of Signatory

Subscribed and sworn before me by Dana Johnson on this 13 day of February, 2023.



Kevin Ives
Notary Public
State of Florida
Comm# HH103785
Expires 3/22/2025


Notary Public for the State of FL