

FILED
APR 18 2014
COMMISSION OF INSURANCE
INSURANCE DIVISION OF IOWA

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF:)	ORDER AND CONSENT TO ORDER
)	
JOSE SALGADO)	
NPN # 8937568)	DIVISION FILE NO.: 76187

The Iowa Insurance Division ("Division") pursuant to the provisions of the Iowa Licensing of Insurance Producers Act – Iowa Code Chapter 522B has sought the entry of this Order.

ALLEGATIONS OF FACT

The Division has alleged in the statement of charges filed in this matter that Jose Salgado ("Salgado") violated Iowa Code § 522B.11(1)(h) by improperly accounting for payments received from insurance clients and failing to timely deposit those payments in the designated bank account.

STIPULATIONS

- Jurisdiction.** Salgado consents to the entry of this Order and admits that the Iowa Insurance Division has personal jurisdiction over him and has subject matter jurisdiction over this matter.
- Censure of insurance producer license.** Salgado agrees to the censure of his insurance producer license in the state of Iowa based on the allegations contained in this Order.
- Conditions for three year probationary period.** Salgado agrees to a three year probationary period effective upon the signing of this Order by the Commissioner. During this probationary period, Salgado will implement and maintain sound business practices for the handling of client premium in the form of cash, checks, money orders,

or any other means of premium payment. Salgado will retain his insurance business records during the three year probationary period. The records must be available to the Division upon request during regular business hours so the Division may inspect such records to determine his compliance with the requirements of this Order. The business practices that Salgado shall maintain include, but are not limited to, the following:

a. Salgado shall remain current at all times with the usual and customary records pertaining to transactions undertaken by an insurance producer as stated in Iowa Code § 522B.16A.

b. Salgado shall ensure that all cash receipts, checks, money orders and other forms of payment are immediately entered into a cash receipt log and deposited on a daily basis into the separate premium account maintained at a local bank.

The business records that Salgado shall maintain include, but are not limited to, the following:

- c. Copies of the monthly bank reconciliation;
- d. Copies of the bank statements for the agency's premium and operating accounts;
- e. Copies of itemized bank deposit slips;
- f. Copies of the check register for the agency's premium and operating accounts;
- g. Copies of commission statements from insurance companies for all agency business transacted through the separate premium account for each month;
- h. Copies of the separate premium account sweep report from all insurers with transaction activity for each month; and
- i. Copies of the manual receipts for all premiums transacted.

ORDER

WHEREFORE, IT IS ORDERED pursuant to the powers granted to the Commissioner of Insurance by Iowa Code Chapter 522B that:

1. Salgado's insurance producer license in the state of Iowa is hereby censured.
2. Salgado is placed on probation for a period of three years from the date of this Order subject to the following terms and conditions:

A. Salgado shall implement and maintain sound business practices for the handling of client premium in the form of cash, checks, money orders, or any other means of premium payment.

B. Salgado shall keep and maintain a record of all cash receipts, checks, money orders and other forms of payment in his business of insurance as a cash receipt ledger. The entry in the cash receipt ledger shall be made contemporaneous with each receipt. Such monies shall be deposited into the segregated premium account maintained at a local bank on the day of receipt if possible, but no later than the next business day.

C. Salgado shall keep and maintain all records required of an insurance producer in Iowa Code § 522B.16A.

D. Salgado shall keep and maintain the following business records:

- (1) Copies of the monthly bank reconciliation;
- (2) Copies of the bank statements for the agency's premium and operating accounts;
- (3) Copies of itemized bank deposit slips;

(4) Copies of the check register for the agency's premium and operating accounts;

(5) Copies of commission statements from insurance companies for all agency business transacted through the separate premium account for each month;

(6) Copies of the separate premium account sweep report from all insurers with transaction activity for each month; and

(7) Copies of the manual receipts for all premiums transacted.

E. Salgado shall retain the records required as a condition of this probation throughout the probationary period and such records shall be immediately made available to the Division upon request during regular business hours. Failure by Salgado to comply the conditions of this Order or a failure or refusal to allow any inspection of his business records by the Division shall be grounds for summary suspension of his insurance producer license with the right to an administrative hearing.

3. This Order resolves the allegations in the statement of charges, but nothing contained in this Order shall in any way limit the right of the Division to institute administrative or legal action against Salgado for any other past conduct or future activity in violation of Iowa laws or regulations.

Dated this 11 day of April, 2014.

Iowa Insurance Commissioner



NICK GERHART
Insurance Commissioner

Iowa Insurance Division

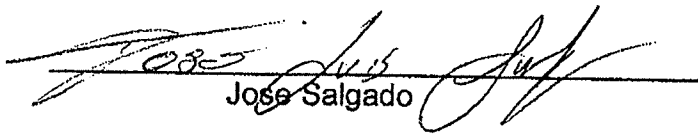
By: 

Robert Koppin
Enforcement Bureau Chief

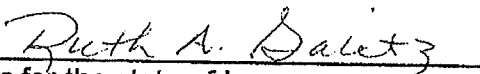
CONSENT

I, Jose Salgado, have read, understood, and do knowingly consent to this Order in its entirety. 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 also understand that this Order is considered final administrative action that shall be reported by the Division to the Central Registration Depository, if securities licensed, and, if insurance licensed, to the National Association of Insurance Commissioners and to all insurance companies with which I am actively appointed. I also understand that this Order is a public record under Iowa Code chapter 22 (2013), that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code section 505.8(8)(d) (2013). 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 my publicly available web site record that administrative action has been taken against me.

Dated this 1 day of April, 2014.


Jose Salgado

Subscribed and sworn before me by Jose Salgado on this 1st
day of April, 2014.


Notary Public for the state of Iowa

