

## Ensuring a Smooth Recovery

Dear Fellow Floridians:

Florida has faced a historic hurricane season, with multiple storms causing catastrophic damage and unprecedented flooding across vast parts of our state. Much work has been done already to get Floridians back on their feet, but many additional steps must still be taken to achieve full recovery.

Many Florida families are currently in the process of navigating the federal flood claims process, and I've so far been encouraged by the collaboration between state officials and the federal government. However, I've recently been made aware of a process change that could delay future progress.

The federal government is soon planning to transition the third-party vendor it uses to manage the 600,000 policies that are part of the National Flood Insurance Program. While the change may bring efficiencies and smoother processes, making such a shift during the heart of hurricane season also stands to delay the processing of pending claims.

Right now, Florida's focus is to help families return to normal life, and to make sure we're able to continue in that fashion, I've penned a letter to FEMA Administrator Brock Long to learn more about his plans for this transition.

I have asked that his team develop a plan to guarantee that pending claims are processed as planned, with no delays. I've asked the plan be made available to the public to confirm that policyholders can be confident while navigating the claims process. And, if this cannot be accomplished right now, I've asked Administrator Long to consider delaying this process change until after the end of hurricane season.

Officials in Washington are currently discussing their plans and making possible revisions to their implementation timeline. I look forward to engaging in future discussions, and I plan to continue raising my voice to ensure that Florida's recovery process does not get derailed.



To read a copy of the letter I sent to Washington, [click here](#). I will keep you apprised as the issue moves forward.

Sincerely,

A handwritten signature in black ink that reads "Jimmy".

**Jimmy Patronis**  
*Chief Financial Officer*  
*State of Florida*



## News You Can Use

- Updating you on what's going on

### CFO Patronis Honors Fallen Firefighters During Annual Ceremony in Ocala

CFO and State Fire Marshal Jimmy Patronis honored Florida firefighters who lost their lives in the line of duty during the annual Fallen Firefighter Memorial Ceremony at the Florida State Fire College in Ocala. CFO Patronis was joined by family members of the fallen and fire service personnel from across Florida to memorialize Joseph T. DeMarinis with the Clermont Fire Department and James F. Dorminy with the Reedy Creek Fire Department. Seven historical line of duty deaths were also recognized as part of the ceremony.

CFO Patronis said, "Firefighters are deserving of our unending gratitude for laying their lives on the line each time they report to work. Today, we honored those who have made the ultimate sacrifice in service to others and lost their lives far too soon. By adding their names to Florida's Fallen Firefighter Memorial, they will forever be remembered as the heroes that they are."

**Joseph T. DeMarinis** tragically passed away on July 14, 2016, following a cardiac event that happened after a shift. Firefighter DeMarinis joined the Clermont Fire Department in August 2014. DeMarinis was also a veteran of the United States Marine Corps who served two tours in Iraq. He is survived by his parents, and his wife Brandi, and their five children, ages 1 to 17.



**James F. Dorminy**, a 23-year veteran of the fire service, tragically passed away on May 18, 2017. Following his May 9 shift, Lieutenant Dorminy went to the gym where he was later found in the pool in need of urgent medical attention. Days later, he was removed from life support and passed away. He is survived by his wife Lesly and their four children.

In addition to Firefighter DeMarinis and Lieutenant Dorminy, the following individuals were also added to Florida's Fallen Firefighter Memorial, representing historical line of duty deaths:

**James Russell** with the Miami Fire Department who passed away on January 11, 1925, **Sidney Houpt** with the Miami Fire Department who passed away on March 7, 1926, **Robert Knight** with the Fort Lauderdale Fire

Department who passed away on December 27, 1940, **Sam Frazer** with the Miami Fire Department who passed away on February 15, 1953, **Norman Hasting** with the Fort Lauderdale Fire Department who passed away on November 28, 1961, **Joel D. Wooldridge** with the Miami Fire Department who passed away on December 4, 1974 and **Vern Gransden** with the Miami Fire Department who passed away on October 29, 1977.

In total, 193 names are represented on Florida's Fallen Firefighter Memorial.

[Click here to read the press release>>](#)

### **Miami Insurance Agent Charged with Creating Fake Insurance Policies to Steal \$276,000 in Insurance Premiums**

Chief Financial Officer Jimmy Patronis announced the arrest of Jose Manuel Caballero-Morlesin (Caballero), an insurance agent and owner of Axis Underwriters, Inc., a Miami-based insurance agency. An extensive investigation led by the Department of Financial Services, Bureau of Insurance Fraud unraveled a complex scam in which Caballero enlisted a finance company to pay annual premiums tied to fake insurance applications. In total, Caballero submitted 38 fake applications and stole \$276,000 in premium payments. Caballero confessed to investigators and now faces up to 157 years in prison, if convicted.

Many residential and commercial insurance policyholders are required to pay annual premiums up front. Insurance agencies partner with finance companies to front the cost of the annual premium, allowing the policyholders to make monthly installments to the finance company if they cannot afford to pay the full premium amount at one time.

During a six-month timeframe in mid-2016, Caballero submitted 38 applications for financing using made up consumer information. The unsuspecting finance company approved the applications and issued annual premium payments to Caballero's insurance agency, Axis Underwriters, Inc. In time, the finance company grew suspicious when no policyholders came forward to pay their monthly installments.

The finance company reported their suspicions to the Department's Division of Insurance Agent and Agency Services, which referred the case to fraud investigators as a suspected scam. The Department plans to seek the immediate suspension of Caballero's insurance license once formal charges are filed.

Caballero turned himself in to authorities October 9, 2017, and has been charged with one count of organized scheme to defraud and 38 counts of forgery, uttering forged instruments, grand theft and the misappropriation of insurance funds.

This case is being prosecuted by the Office of Katherine Fernandez Rundle of the Miami State Attorney's Office.

[Click here to read press release>>](#)

## CFO Patronis Urges FEMA to Reconsider Vendor Transition During Heart of Hurricane Season

Chief Financial Officer Jimmy Patronis sent a letter to Federal Emergency Management Agency (FEMA) Administrator William “Brock” Long urging FEMA to reconsider an upcoming vendor transition that could delay the processing of federal flood claims in Florida. CFO Patronis asked FEMA officials to release a transition plan that ensures no pending claims face delays or to consider delaying the transition until the end of the 2017 Atlantic Hurricane Season.



# FEMA

CFO Patronis said, “...I am concerned that an upcoming vendor transition within a critical federal program may present a roadblock to Florida’s current progress. It is my understanding that the National Federal Flood Insurance Program (NFIP) will soon transition to a new policy management vendor, a move that is set to impact more than 600,000 policyholders. Many of these 600,000 policyholders reside in Florida, and I fear that Floridians may be forced to bear costly consequences caused by this change. With an estimated 18,000 damage claims resulting from Hurricanes Irma, Maria and Harvey currently pending, scheduled changes to claims processing and payment procedures stand to create delays and potentially derail Florida families from getting back to normal life during these high-stress times.”

To read the CFO’s full letter, click [here](#).

## DFS Law Enforcement Personnel Lands in Puerto Rico



Major Karl Morgan with the Department of Financial Services’ Bureau of Fire and Arson Investigations flew to San Juan, Puerto Rico alongside personnel from the Florida Fish and Wildlife Conservation Commission, Florida Highway Patrol and Florida Department of Law Enforcement to assist with hurricane recovery efforts following Hurricane Maria.

Major Morgan joins an eight-member multi-agency incident management team that will coordinate the activities of law enforcement personnel. Last week, CFO Patronis pledged to assist Puerto Rico in its recovery efforts, and additional resources remain on standby.



[Read more >>](#)

## **CFO Jimmy Patronis Recognizes Two Fraud Investigators for Outstanding Service**



*(Lieutenant Clasen – 3<sup>rd</sup> from left, Detective Utecht – 3<sup>rd</sup> from right)*

During a meeting of the Florida Cabinet earlier this month, Chief Financial Officer Jimmy Patronis honored two fraud investigators from the Department of Financial Services as recent recipients of the United States Attorney’s Office, Southern District of Florida’s Outstanding Law Enforcement Officer of the Year Award. Lieutenant Clasen was honored for his work on a high-profile personal injury protection (PIP) case that led to a successful 14-year mail fraud conviction in federal court. Detective Utecht’s expertise and dedication led to the successful conviction of South Florida sober home operator Kenneth Chatman in a high-profile fraud case.

CFO Patronis said, “PIP fraud has driven up the cost of car insurance in our state, and it’s a crime that our Department had dedicated significant resources to fighting in Florida. We’re making great strides, and Lt. Clasen’s dedication to this case reiterates our collective commitment to breaking down these fraud rings at the highest levels. His award and recognition are well-deserved for a job well done.”

“Sober homes claim to be a place of refuge for recently recovering addicts, but for many of them, nothing could be further from the truth. Many of these facilities do nothing more than siphon a patient’s insurance benefits until there’s nothing more to take, only to return these vulnerable people to the streets from which they came. I am proud of Detective Utecht’s unending dedication to stopping these activities in our state.”, said CFO Patronis.

The Department of Financial Services is the state of Florida's lead investigative agency for insurance and workers' compensation fraud, fire and arson investigations and the theft or misuse of state funds. To report suspected fraud, call the Department's toll-free Fraud Tip Hotline at 1-800-378-0445.

[Read more about Lieutenant Clasen here>>](#)

[Read more about Detective Utecht here>>](#)

## **CFO Patronis Deploys Insurance Experts to the Florida Keys**

Chief Financial Officer Jimmy Patronis recently announced the Department of Financial Services is sending insurance specialists to the Florida Keys to assist with the handling of Hurricane Irma claims.

CFO Patronis said, "The Keys are back open for business, but recovery efforts will continue in the weeks ahead and many residents are still in need of help with the filing of insurance claims on their damaged homes. I've seen the damage in the Keys firsthand, and I want homeowners to have the best possible advice at their fingertips when making important insurance decisions regarding repairs. We're proud to be a resource as our fellow Floridians recover and rebuild from this historic storm."

All Floridians and business owners can gain one-on-one insurance expertise by calling the Department's toll-free Insurance Consumer Helpline at 1-877-MY-FL-CFO. The Department has also launched a Hurricane Season Insurance Resources website available by visiting [www.myfloridacfo.com](http://www.myfloridacfo.com).



**Need Insurance Help?**  
**1-877-MY-FL-CFO**  
*Call Florida's Insurance Helpline*

FLORIDA'S CHIEF FINANCIAL OFFICER JIMMY PATRONIS

[www.MyFloridaCFO.com](http://www.MyFloridaCFO.com)

[Read more>>](#)

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## **Make Sure You Don't Miss Important Information From Us**

We highly recommend licensees routinely check their [MyProfile](#) accounts for messages from the Department. We send an email notification when a message has been sent to remind you to check your [MyProfile](#) account, but on rare occasions you may not receive that email. For this reason, we suggest you add our domains **dfs.state.fl.us** and **MyFloridaCFO.com** to your email software's Trusted or Safe Senders List to ensure you are able to receive email notifications from us. Licensees who have a valid email address on file with the Department, as required by law, are sent important email notifications when something affecting their application, license, continuing education, or appointment(s) occurs. Additionally, we will keep you informed with warnings regarding new schemes and scams being marketed to licensees. You can update your contact information through your [MyProfile](#) account. We want to keep you informed in a timely manner of pertinent information. You are still required to abide by the Florida Insurance Code regardless of whether you read the information we provide or attempt to provide.



## In The Know

- Keeping you informed is what it's all about

### Transition of the Public Adjuster Apprentice Program

Effective January 1, 2018, the public adjuster apprentice license (T31-20) will be eliminated. Any individual seeking to become an apprentice under a licensed public adjuster will need to be licensed as an all lines adjuster (6-20) and appointed as a public adjuster apprentice. Public adjuster apprentices will be required to be licensed and appointed for a minimum of six months before they are eligible to apply for a public adjuster license (3-20), a change from the previous requirement of a one year apprenticeship.

We recognize some individuals licensed under the existing laws will be in the middle of their apprenticeship when the new laws take effect. To make this change go as smoothly as possible for all affected individuals and parties, the Department will begin a transitional process in December.



The final day to apply for the current public adjuster apprentice license is December 13, 2017. After this date, anyone wishing to become a public adjuster apprentice will need to apply for an all lines adjuster license and, file an original \$50,000 bond with the Department and then obtain a public adjuster apprentice appointment (31-20). A public adjuster apprentice appointment may not be effectuated for the all lines adjuster license unless there is an active bond associated with the license; the appointment will be cancelled if the licensee fails to maintain an active bond for 30 days,

All public adjuster apprentice licenses will automatically convert to all lines adjuster licenses by January 1, 2018. At the time of this conversion, the apprentices' appointments will also be converted to the new public adjuster apprentice appointment type (31-20). These appointments will be valid from the date of appointment plus two years forward to the last day of the licensee's birth month. For example: A licensee born in June is appointed in October 2017. The first renewal date for this appointment is June 30, 2020. Subsequent renewals will be due every two years.

After January 1, 2018, individuals who hold an all lines adjuster license with a public adjuster apprentice appointment will be eligible to apply for a public adjuster license once they have been actively licensed and continuously appointed for at least the previous six months and meet all other requirements of [s. 626.865, F.S.](#) Individuals in the middle of their apprenticeship when the new laws take effect will be able to apply for their public

adjuster license once they have been actively licensed and continuously appointed for at least the previous six months.

The new law also changes the number of apprentices who can be supervised by an individual adjuster or firm. Beginning January 1, 2018, an appointing public adjusting firm may not employ more than four public adjuster apprentices, and a supervising public adjuster may not be responsible for more than one public adjuster apprentice. Each supervising public adjuster shall be accountable for the acts of the public adjuster apprentice which are related to transacting business as a public adjuster apprentice under [s. 626.8651\(2\)](#), F.S. If you are a supervising public adjuster or adjusting firm and you believe you will have more than the allowed number of apprentices as of January 1, 2018, please contact the Department at [adjusters@myfloridacfo.com](mailto:adjusters@myfloridacfo.com) so we can help you determine the best course of action. When contacting us, be sure to include the name and license number of all apprentices currently under supervision by you or employed by your firm.

**Please note:**

The all lines adjuster license is perpetual with a valid appointment. Appointments of the all lines adjuster license must be renewed every two years for the license to remain valid. Licenses will cancel after 48 consecutive months without an appointment. A public adjuster apprentice appointment may also be renewed every two years, as there is no longer a limit on the time period to hold a public adjuster apprentice appointment type.

## **CFO Patronis Urges Congress to Address Costly Health Insurance Tax**

Chief Financial Officer Jimmy Patronis sent a letter to Florida's congressional delegation urging them to address the costly and ill-designed federal Health Insurance Tax (HIT) ahead of its impending implementation. The HIT requires insurance companies offering full coverage plans to pay an annual tax to help cover the cost of the federal exchange. While Congress delayed the HIT's 2017 implementation, without additional action, it will become effective January 1, 2018. To cover the cost of paying the HIT, insurance companies are expected to significantly raise rates.

CFO Patronis said, "Congress has delayed the 2017 HIT implementation, lowering policyholders' premiums by three percent, and saving the health care system an estimated \$13.9 billion. However, a delay is but a temporary reprieve. Without immediate Congressional action, the tax will go into effect January 1, 2018, with a \$22 billion first-year fiscal impact. With a 10-year projected impact of \$267 billion, Florida simply cannot afford inaction. Florida alone faces a \$1.7 billion overall increase in 2018 health care premiums. Florida's state workforce covered by the state-sponsored health plan can expect a \$188 annual increase for individual coverage, and families can expect to pay an additional \$518 in 2018."

Read a copy of the CFO's letter [here](#).

# CFO Patronis' Disaster Fraud Action Strike Team Nets Fly-By-Night Contractor in Fort Myers

Chief Financial Officer Jimmy Patronis announced the arrest of Oscar M. Palma made by the Department of Financial Services' Disaster Fraud Action Strike Team. Palma, a Fort Myers contractor, was reported to authorities after allegedly making subpar roof repairs to an area apartment complex following Hurricane Irma. Upon launching an investigation, fraud detectives quickly learned that while Palma advertised himself as a licensed and insured contractor, he in fact held no workers' compensation coverage and was not licensed as a contractor.

When accidents occur on job sites, workers' compensation coverage protects the property owner and hired employees from being held responsible for paying medical and lost wage costs tied to potential on-the-job injuries. Therefore, Palma put his entire staff as well as his customers at risk by failing to carry proper insurance coverage.

CFO Patronis said, "When contractors fail to secure workers' compensation coverage, a myriad of risks are presented, and we are sending a message that taking short cuts will not be tolerated. If any of Palma's workers were to get injured, the property owners, who are already going through high-stress and costly times dealing with Hurricane Irma damages, or the employee themselves are forced to pay out-of-pocket for medical expenses. Our efforts are focused on ensuring our residents, consumers and employees don't fall victim to Irma twice, and these types of uninsured activities could cause just that."

The Department's Bureau of Workers' Compensation Compliance received a tip October 12, 2017, alleging unlicensed, uninsured and careless roof work was being performed by Palma's company. Investigators visited one of Palma's current work sites and issued a stop work order upon confirming Palma failed to secure a workers' compensation insurance and Palma's confession to having no professional license.

He was arrested October 13, 2017, and transported to Lee County Jail. This case will be prosecuted by the Lee County Office of the State Attorney, 20<sup>th</sup> Judicial Circuit. If convicted, Palma could face up to five years in prison.

The Department's anti-fraud strike team consists of three teams working in areas heavily impacted by Hurricane Irma including South Florida, Miami-Dade and Monroe counties; Southwest Florida, including Lee and Collier counties; and Central Florida, including Polk and Orange counties. To report suspected fraud, call the Department's toll-free Fraud Tip Hotline at 1-800-378-0445.



[Read more>>](#)

## Health Agents: Help On Demand for the Federally-facilitated Marketplace

### HELP ON DEMAND IS HERE!

Help On Demand is a real-time consumer assistance and referral system that connects consumers seeking assistance with Marketplace-registered, state-licensed agents in their area who can provide immediate assistance with Marketplace plans and enrollments. Only agents who have completed Marketplace training and registration for Plan Year 2018 are eligible to participate in Help On Demand.

In order to register to participate in Help On Demand, you must:

- \* Complete Marketplace registration and training for Plan Year 2018 on <http://portal.cms.gov>.
- \* Ensure that you have an active state license and health line of authority for the state(s) where you plan to sell coverage.
- \* Confirm that your National Producer Numbers (NPNs) are listed on the [Agent and Broker FFM Registration Completion List](#).
- \* Complete the self-paced Help On Demand training and certify completion by providing your name, email address, and NPN at the end of the training found at <http://training-help-on-demand.ardx.us/>.

Also available from CMS:

- \* [Marketplace Privacy & Security Requirements for Agents and Brokers](#)
- \* [Making the Most of Your Marketplace Participation During This Open Enrollment Period](#)



The 2017 Florida Statutes Are Available Online

The Florida Statutes can be viewed at [Online Sunshine](#)

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## Compliance Corner

This section has been created to assist you in keeping your insurance business in compliance. The items are intended as reminders only. Note: Division publications may include references to the [Florida Statutes](#) and/or the [Florida Administrative Code](#). The laws noted in our publications are/were in effect at the time of publication but may have been repealed, amended or replaced and new laws may have been enacted subsequently.

### ***Adjusters - Working Together***

#### ***All Lines Adjusters - Company, Independent and Emergency***

In the weeks that have passed since Hurricane Irma impacted our state, several concerns have been raised alleging many all-lines adjusters representing insurers are violating the Florida Insurance Code by excluding the public adjusters from meetings with the insured and failing to notify them of scheduled inspections.

Please be reminded that when working with insureds and their public adjusters:

- "A company employee adjuster, independent adjuster, attorney, investigator, or other persons acting on behalf of an insurer that needs access to an insured or claimant or to the insured property that is the subject of a claim must provide at least 48 hours' notice to the insured or claimant, public adjuster, or legal representative before scheduling a meeting with the claimant or an onsite inspection of the insured property. The insured or claimant may deny access to the property if the notice has not been provided. The insured or claimant may waive the 48-hour notice." [s. 626.854\(14\)](#), F.S.
- "The insurer may not exclude the public adjuster from its in-person meetings with the insured. The insurer shall meet or communicate with the public adjuster in an effort to reach agreement as to the scope of the covered loss under the insurance policy. The public adjuster shall meet or communicate with the insurer in an effort to reach agreement as to the scope of the covered loss under the insurance policy..." [s. 626.854\(15\)\(a\)](#), F.S.



## **Public Adjusters**

We've also heard that a few public adjusters have made interaction between the insurer, insured and public adjuster more difficult than necessary and are not following statutory guidelines.

Please be reminded when dealing with insurers and their appointed adjusters during the claims process:

- "The public adjuster must ensure that prompt notice is given of the claim to the insurer, the public adjuster's contract is provided to the insurer, the property is available for inspection of the loss or damage by the insurer, and the insurer is given an opportunity to interview the insured directly about the loss and claim. The insurer must be allowed to obtain necessary information to investigate and respond to the claim.." [s. 626.854\(15\)](#), F.S.
- A public adjuster shall not prevent, or attempt to dissuade or prevent, an insured or claimant from speaking privately with the insurer, company employee adjuster, independent adjuster, attorney, or any other person, regarding the settlement of the claim. [69B-220-201(4)(a), FAC]
- "A public adjuster may not restrict or prevent an insurer, company employee adjuster, independent adjuster, attorney, investigator, or other person acting on behalf of the insurer from having reasonable access at reasonable times to any insured or claimant or to the insured property that is the subject of a claim.." [s. 626.854\(15\)\(b\)](#), F.S.
- "A public adjuster may not act or fail to reasonably act in any manner that obstructs or prevents an insurer or insurer's adjuster from timely conducting an inspection of any part of the insured property for which there is a claim for loss or damage. The public adjuster representing the insureds may be present for the insurer's inspection, but if the unavailability of the public adjuster otherwise delays the insurer's timely inspection of the property, the public adjuster or the insureds must allow the insurer to have access to the property without the participation or presence of the public adjuster or insureds in order to facilitate the insurer's prompt inspection of the loss or damage." [s. 626.854\(14\)\(c\)](#), F.S.

For more information about the duties and responsibilities of all-lines and public adjusters, refer to Chapter 626, [Section VI](#), Florida Statutes, and Rule Chapter [69B-220](#), FAC.

# Are You *CLUED* In?

The answers to this puzzle may be found throughout the newsletter. The complete answer key can be found on the Contact Us page.

## Across

3. Federal agency that provides assistance after a disaster

7. Theft of insurance premiums

10. Lt. Clasen received the Outstanding Law Enforcement \_\_\_\_\_ of the Year Award.

11. Who was honored for his work on a fraud case involving sober homes?

12. Can be called on to provide one on one insurance expertise

## Down

1. Title agencies must pay this by 1/30/17

2. This type of agent can also adjust claims.

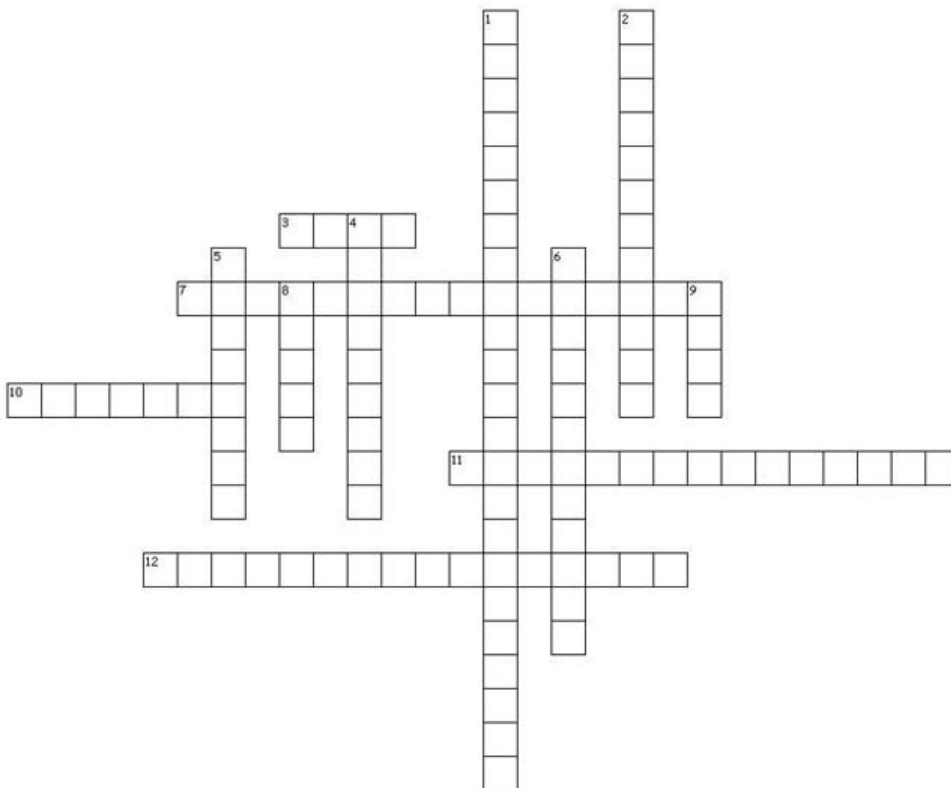
4. Where can licensees update their contact info?

5. \_\_\_\_\_ has driven up car insurance rates in FL.

6. This license type is going away.

8. The Bureau of Fire & \_\_\_\_\_ Investigations flew to Puerto Rico.

9. How many names were added to the Fallen Firefighter Memorial this year?



## Title Agencies: Update Your Info for the 2018 Administrative Surcharge

Subsection [624.501\(27\)\(e\)2](#), F.S., requires any title insurance agency licensed in Florida on January 1 of each year to remit an administrative surcharge of \$200 to the Florida Department of Financial Services. Therefore, we are [reminding](#) all title agencies that the 2018 administrative surcharge due date will soon be approaching.

Any title insurance agency licensed in Florida on January 1, 2018, will be emailed a reminder a few days afterward to the agency's **email address** on file with the Department. To ensure you receive the invoice and avoid failing to pay by the January 30 due date, please log in to the [MyProfile](#) account for your title agency and make sure the correct email address is on file. While doing so, we also recommend you do the same for your individual [MyProfile](#) account.



Occasionally we discover agencies that were not aware of the reminder because of the retirement or termination of the employee assigned to monitor the email address provided to the Department. Failure to open the email sent by the Department containing the administrative surcharge reminder does not release an agency from the January 30 deadline. Please verify your information soon so this does not happen to you. If you need our assistance, you may contact us at [AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com) to assist you through the steps to update your information. Be proactive; do not procrastinate.

Failure to pay the surcharge on or before January 30, 2018 will result in administrative action which could include a fine, in addition to the original surcharge. Payment must be made securely online via the title agency's [MyProfile account](#). Paper checks are not accepted.

## Compliance Information

Department licensees and consumers can access compliance information at the Division of Insurance Agent and Agency Services' web page [Compliance Information](#). Additional information is available by type of license at our [Frequently Asked Questions](#) web page.

**Note:** Some information in archived articles may now be out of date or superseded by changes in Florida law. Please be sure you refer to the most current law.





## Education Central

- Things to know about your continuing education

### **Continuing Education Deadline Extended to Assist with Hurricane Irma Recovery**

To help accelerate Hurricane Irma recovery efforts across Florida, CFO Patronis announced an extension of continuing education deadlines for licensed insurance professionals in Florida.

Continuing education deadlines are set by the licensee's birthday month, and any licensee with a deadline in September, October or November will now have an extended deadline of December 31, 2017, to complete their continuing education requirements.

The extension applies to all insurance professional licensees that require continuing education, including insurance adjusters, agents and customer representatives. No form or application process is required to be approved for this extension. The Department of Financial Services' Division of Insurance Agent & Agency Services is updating its online database to automatically reflect the updated deadline.

To learn more, visit [www.myfloridacfo.com/Division/Agents](http://www.myfloridacfo.com/Division/Agents).



## Are You Compliant with Your CE or Not?

To be CE compliant requires more than just taking CE courses. Below are a few suggestions for remaining CE compliant:

- CE requirements change. You should regularly review your CE status through your [MyProfile](#) account. Your total hours have specific allocation requirements that must be met. Be sure to take all the right categories of CE courses.
- Check for late hours. Hours taken after your due date will still post on your compliance evaluation screen, but they will be noted as "Late". Though your hours requirement may have been met, late completion of your continuing education requirement will result in penalties.
- Check prior evaluation periods. Always check previous compliance periods to make sure you are not delinquent for a prior period. Be sure to click on VIEW ENFORCEMENT NOTICE just below the Not Compliant text to check for any outstanding fines.
- Check your transcript. The same course cannot be taken with the same provider within a two-year period and receive credit. This is noted on your transcript as a duplicate course. You will need to take a different course to meet your CE requirement.

We wish you success in completing your hours to remain knowledgeable in an ever-changing insurance market. And remember, your CE compliance date is your DUE date, not your DO date.

Because many factors may affect your continuing education requirement (e.g. licenses held, number of years licensed, etc.), we encourage you to periodically check your [MyProfile](#) account to determine your individual continuing education compliance requirements and status. You will also be able to find more approved CE courses after logging in to your [MyProfile](#) account versus the [public search option](#), which limits the results to the first 100 course offerings.



## Case Notes

The following are instances in which licensees or other persons violated the Florida Insurance Code and the administrative action the Department has taken against them. Note: All administrative investigations are subject to referral to the [Division of Investigative & Forensic Services](#) for criminal investigation.

**Case:** An investigation into the practices of a general lines agent was initiated after an insurer referred a complaint from a business alleging the agent charged a "service fee" in addition to workers' compensation premiums.

Documentation obtained by investigators during an agency inspection revealed the agent was routinely charging additional, unlawful fees. Statements taken from several agency customers indicated the fees ranged from \$250 to \$455, and were listed as "consulting fees, notary fees and mailing fees", none of which can lawfully be charged by a Department licensee. The agent told investigators that he performs "different" services for each client and charges additional fees, but was unable to substantiate that any of the services went beyond the usual and customary duties of a licensee and compensated for by lawfully earned commissions.

**Disposition:** License suspended 60 days; ordered to pay restitution.

**Case:** An all lines adjuster will never adjust another claim in Florida following an investigation revealing he filed numerous fraudulent claims for personal financial gain. Investigators began looking into the adjuster's activities after receiving a termination for cause letter from a third-party administrator (TPA), alleging the adjuster diverted claim payments for his personal use. Investigators obtained evidence from the TPA revealing the adjuster issued multiple claim checks payable to himself, his in-laws, and his daughter. Other checks written from the claims account were used to pay the adjuster's personal bills. Between 2008 and 2013, investigators identified 68 checks totaling approximately \$183,000 in questionable claim payments. Evidence was turned over to law enforcement and the adjuster was arrested and charged with Scheme to Defraud, five counts of Money Laundering and Aggravated White Collar Crime.

**Disposition:** Permanent bar from the Florida insurance industry.

**Case:** The Department's Division of Consumer Services referred a complaint related to a denied homeowner claim. The claim was denied because the public adjuster employed by the insured allegedly provided the incorrect date of loss and submitted receipts for repair work using invoices from a company that closed years before the alleged work was completed.

The consumer provided a statement to investigators confirming the public adjuster had instructed an unlicensed person to act as a public adjuster and execute the contract in dispute. The unlicensed person admitted to participating in duties that require a license and appointment.

The insurer's claim file included falsified documents and forensic proof the photographs submitted by the public adjuster were not taken on the date of loss reported and included a fraudulent plumbing receipt submitted by the public adjuster.

**Disposition:** License suspended six months; the public adjuster was arrested by the Division of Insurance and Forensic Services and charged with one count of Insurance Claims/False/Fraud/Solicitation and Uttering a Forged Instrument. As a result, the suspension was extended indefinitely pending the outcome of the felony charges.

**Case:** Failing to respond to the Department's Administrative Complaint doesn't make it go away, as a life, health and variable annuity agent discovered, when his license was suspended. The case began with an anonymous tip from the Department's Division of Insurance and Forensic Services. The tip alleged an agent was running a call center, staffed with unlicensed employees transacting insurance business. Department records indicated the agency was not licensed. The agent mentioned in the tip was listed as the owner of another licensed agency. While conducting an inspection of the location listed in corporate records for the unlicensed agency, investigators found a licensed agent, an administrative assistant and several employees. Notably, there was no signage or license posted for either agency. The agent told investigators the business was being used for tax purposes only. Investigators contacted an insurer the agent was appointed by and obtained applications for health insurance bearing the unlicensed agency name. The subject failed to respond to the Administrative Complaint.

**Disposition:** License suspended for 12 months.

**Case:** When two consumers filed nearly identical complaints against a general lines agent with the Division of Consumer Services, a referral was sent to the Bureau of Investigation. Both complainants alleged they paid for commercial liability policies, but the policies were later cancelled for nonpayment. Upon further investigation, four additional consumers were identified who also paid premiums to the subject for policies that later cancelled for nonpayment. Evidence showed the agent applied the complainant's premiums to other policies to avoid cancellation and tried to disguise the misappropriation of premiums. In addition to proving the premium diversion, investigators obtained documents from two additional consumers who were sold fraudulent workers' compensation policies. Due to the agent's actions, one business was not paid for a construction job, was unable to solicit new work, and was forced

to lay off employees because the company was unable to provide proof of workers' compensation insurance to prospective customers.

**Disposition:** Administrative surrender of license; ordered to pay restitution and cannot reapply for a license for five years.

# Enforcement Actions

- September 2017

Some of the following enforcement actions were resolved through a settlement process resulting in an order for discipline. Notification of enforcement actions is in the public interest. While every effort is made to provide correct information, our readers are cautioned to check with the Department before making a decision based upon this listing. This listing does not reflect pending appeals or requests for hearings. The license or registration status may have changed since the filing of these orders. We suggest that you search the [Licensee Search](#) or make a [public records request](#) to verify the current status of any license or registration.



**IMPORTANT NOTE:** Actions taken before July 1, 2015 are located at [FLDFS Final Orders](#). Actions taken after July 1, 2015, can be searched for at the Florida Division of Administrative Hearings' (DOAH) [website](#). For further information, you may make a public records request via [email](#) or contact the [Public Records Unit](#).

Warning: No part of this listing may be used by a licensee to gain an unfair competitive advantage over any person named herein. Any licensee who does so could be in violation of Section 626.9541(1)(c), Florida Statutes.

Last/Business Name	First Name	License	License Type	Disposition	City, State	Documentation
AMOS	KARLA	W218776	Life Variable Annuity	Permanent Bar	MELBOURNE, FL	<a href="#">CONSENT ORDER</a>
BARREDO SR	ANTONIO FELIPE	P198092	Public Adjuster	Suspension 3 Months	HIALEAH, FL	<a href="#">ORDER OF SUSPENSION</a>
BROWN	THOMAS	A032891	General Lines, Life, Health, Variable Annuity	Indefinite Suspension	FORT LAUDERDALE, FL	<a href="#">NOTICE OF TEMPORARY SUSPENSION</a>
DAUB	SUSAN	D048829	Life, Health, Variable Annuity	Revocation	CORAL SPRINGS, FL	<a href="#">NOTICE OF REVOCATION</a>
GOENAGA	IVAN	E107408	Public Adjuster	\$1,000 Monetary Penalty	MIAMI LAKES, FL	<a href="#">CONSENT ORDER</a>
HENLEY	PATRICK	W394847	Life, Health, Variable Annuity	Revocation	ST AUGUSTINE, FL	<a href="#">ORDER OF REVOCATION</a>
HORTON	SETH	W185301	Customer Representative	Revocation	LEHIGH ACRES, FL	<a href="#">ORDER OF REVOCATION</a>

INTERVAL TITLE SERVICES INC		A127963	Title Agency	\$750 Monetary Penalty	ORLANDO, FL	<a href="#">CONSENT ORDER</a>
JEAN-RENE	JAMES	P133000	Bailbond Agent	Indefinite Suspension	ST. PETERSBURG, FL	<a href="#">NOTICE OF TEMPORARY SUSPENSION</a>
LOPEZ	LAZARO	A158404	Bailbond Agent & Public Adjuster	\$1,500 Monetary Penalty	MIAMI, FL	<a href="#">CONSENT ORDER</a>
OLDE WORLD TITLE, INC		W077961	Title Agency	Suspension 3 Months	ORLANDO, FL	<a href="#">ORDER OF SUSPENSION</a>
THE TITLE BRIDGE, LLC		W182037	Title Agency	Suspension 2 Months	LONGWOOD, FL	<a href="#">ORDER OF SUSPENSION</a>
WILSON	CEDRICJUAN	W038286	All Lines Adjuster	Revocation	SAINT PETERSBURG, FL	<a href="#">FINAL ORDER</a>



## Contact Us

- We're always here for you

### Bureau of Licensing

**General inquiries for everybody - Agents, Adjusters and Agencies**

[AgentLicensing@MyFloridaCFO.com](mailto:AgentLicensing@MyFloridaCFO.com)

[Education@MyFloridaCFO.com](mailto:Education@MyFloridaCFO.com) - For education-related questions (prelicensing, continuing education, providers, etc.)

[MyProfile](#) - Check your up-to-the-minute application status, education information, and more.

Licensees are reminded to update any change in their name, addresses (including email) or phone numbers by logging in to their [MyProfile](#) account. If you also have an agency license, don't forget to log in to your agency's MyProfile account and update it as well.

*200 East Gaines Street  
Larson Building, Room 419  
Tallahassee, FL 32399-0319*

### Bureau of Investigation

**Compliance issues, licensees and insurers ONLY:**

[Title@MyFloridaCFO.com](mailto:Title@MyFloridaCFO.com) - For title insurance compliance matters **NOT** related to Licensing or Education.

[BailBond@MyFloridaCFO.com](mailto:BailBond@MyFloridaCFO.com) - For bail bond compliance matters **NOT** related to Licensing or Education.

[Adjusters@MyFloridaCFO.com](mailto:Adjusters@MyFloridaCFO.com) - For adjuster compliance matters **NOT** related to Licensing or Education.

[askDFS@MyFloridaCFO.com](mailto:askDFS@MyFloridaCFO.com) - For all other compliance matters **NOT** related to Licensing or Education.

*200 East Gaines Street  
Larson Building, Room 412  
Tallahassee, FL 32399-0320*

### Title Insurance Data Call

[TitleAgencyReporting@flair.com](mailto:TitleAgencyReporting@flair.com) - For questions about the filing process



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