

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,)
)
)
Petitioner,)
v.)
)
HALIE NICOLE CALLAWAY,)
)
Respondent.)

Case No. 11-0221-DEN

FILED

APR 14 2011

FINAL ADMINISTRATIVE ORDER

**INSURANCE COMMISSIONER
OKLAHOMA**

ON the 24th day of March, 2011, the above captioned case came on for hearing and was concluded on the same date. The Insurance Commissioner, John D. Doak, was represented by his attorney, Julie Meaders. Respondent Halie Nicole Callaway was present, having been mailed a copy of the Notice of Hearing by certified mail with return receipt requested, pursuant to the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq. and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 et seq. The Hearing Examiner, having been fully advised in the premises, finds as follows:

JURISDICTION AND AUTHORITY

1. The Insurance Commissioner has jurisdiction over this cause, pursuant to the provisions of the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq.

FINDINGS OF FACT

1. On or about the 25th day of February, the Oklahoma Licensing Division, through Licensing Manager, Leah Scoles, caused to be mailed to Callaway a letter denying her application for licensure.

2. On or about the 9th day of March, 2011, Callaway requested an administrative hearing on the matter.

3. The Insurance Commissioner appointed Leamon Freeman to hear the case as the independent Hearing Examiner.

4. The Hearing was recorded electronically by employees of the Oklahoma Insurance Department. Neither party requested a full stenographic record of the proceedings.

5. The following exhibits were introduced and admitted without objection:

Petitioner's Exhibit 1: Callaway's provisional application for licensure.

Petitioner's Exhibit 2: Callaway's producer application for licensure.

Petitioner's Exhibit, 3: Sircon document showing status of both applications.

Petitioner's Exhibit 4: Sircon profile for Halie Callaway.

Petitioner's Exhibit 5: Cherokee county docket sheet for CM-09-553.

Petitioner's Exhibit 6: Cherokee county docket sheet for CM-10-47.

Respondent's Exhibit 1: Letter from Cherokee County District Attorney.

Respondent's Exhibit 2: Letter from CREOKS Behavioral Health Services.

Respondent's Exhibit 3: Callaway's Certificate of Completion at CREOKS.

6. Callaway and Leah Scoles were sworn and testified under oath.

7. The Hearing Examiner heard testimony and entered the following findings of fact:

a. Callaway submitted a provisional application with her name spelled Hallie Callaway. Provisional license was granted due to clear background check with this name spelling.

b. Callaway submitted her producer application with her name spelled Halie Callaway. License was denied pursuant to 36 O.S. § 1435.13(A)(1) due to a finding of undisclosed criminal history under this spelling of her name.

c. Callaway requested a hearing as was her right pursuant to 36 O.S. § 1435.13(B).

d. Callaway testified that an addiction to prescription pain pills resulted in the criminal charges against her. Testimony was further presented to the Hearing Examiner that Callaway had

successfully completed rehabilitation caused by her addiction.

8. Callaway's application is granted on the condition that she is to be placed on probation and monitored until renewal of her license in two (2) years.

CONCLUSIONS OF LAW

1. These proceedings were conducted pursuant to the applicable provisions of the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 et seq., and the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1 et seq.

2. The Commissioner has jurisdiction to conduct this hearing as Respondent applied for a producer license pursuant to 36 O.S. 1435.13.

3. Neither party requested a stenographic record of the proceedings but an electronic recording of the proceedings was made by an employee of the Oklahoma Insurance Department's office.

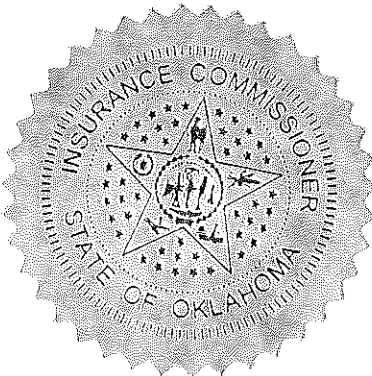
6. 36 O.S. § 1435.13 is discretionary as to whether a license may be issued.

7. Respondent's application is granted on the condition that she is to be placed on probation and monitored until renewal of her license in two (2) years.


ORDER

IT IS THEREFORE ORDERED that State's denial of Respondent's application for a producer license in the State of Oklahoma is overruled.

WITNESS My Hand and Official Seal this 9th day of April, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA


LEAMON FREEMAN.
Hearing Examiner
3625 NW 56TH Street, Suite 100
Oklahoma City, OK 73112
(405) 521-2746


CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing Final Administrative Order was mailed postage prepaid with return receipt requested on this 14th day of April, 2011 to:

Calie Hallaway
14552 W. 835 Road
Tahlequah, OK 74464

and that a copy was delivered by electronic mail to:

Leah Scoles
Licensing Division



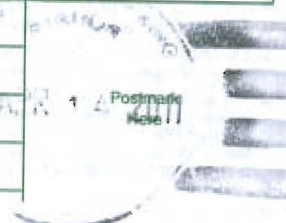
Julie Meaders

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- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mail piece or on the front if space permits.

1. Article Addressed to: **APR 20 2011**

Calie Hallaway Legal Division
 14552 W. 835 Road
 Tahlequah, OK 74464
 sms/11-0221-DEN/Final

2. Article Number
 (Transfer from service label)

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COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent Addressee

B. Received by (Printed Name) *Calie Hallaway* C. Date of Delivery *4-18-11*

D. Is delivery address different from item 1? Yes No

3. Service Type
 Certified Mail Express Mail
 Registered Return Receipt for Merchandise
 Insured Mail C.O.D.

4. Restricted Delivery? (Extra Fee) Yes