

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
NOV 05 2015  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
SCOTT CASH DANIELS, )  
an applicant for a nonresident insurance )  
producer license, )  
 )  
Respondent. )

Case No. 15-1269-DEN

**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. John Doak, Insurance Commissioner, by and through his attorney, Dan R. Byrd, and alleges and states as follows:

**JURISDICTION**

1. John Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq.

2. Respondent is an applicant for a nonresident insurance producer license in the State of Oklahoma. Respondent's address of record is 10835 Richmond Place, Cooper City, FL 33026.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew an initial license issued pursuant to the Oklahoma Producer Licensing Act and/or may levy a fine up to \$1,000.00 for each occurrence of a violation of the Oklahoma Insurance Code, 36 O.S. § 1435.13(A) and (D).

## ALLEGATIONS OF FACT

1. Respondent applied for a nonresident insurance producer license on or about October 12, 2015 with the Oklahoma Insurance Department (OID). On the application form, the second question asks the following: "Have you ever been named or involved as a party in an administrative proceeding including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration?" Respondent answered "No" to this question.

2. The application form defines being "involved" in an administrative proceeding as the following: "having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation, sanctioned or surrendering a license to resolve an administrative action. 'Involved' also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license or registration." 'Involved' also means having a license, or registration application denied or the act of withdrawing an application to avoid a denial." Applicants may only exclude "terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee."

3. A background check conducted by the OID Licensing Division showed that Respondent had the following administrative action listed on his record: a Consent Order in Case No.: 30068-99-AG with The Treasurer of the State of Florida Department of Insurance dated August 25, 1999 in which Respondent was placed on a one (1) year probation and fined \$750.00 for signing an insured's name on an HMO application and completing the application while not in the physical presence of the insured.

4. Respondent advised the OID that the incident occurred over 16 years ago and that he had forgotten about the fine, which is why he replied “No” on the application. Respondent did not properly disclose the aforementioned administrative action in the license application.

#### **ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 1435.13(A)(1); by providing incorrect, misleading, incomplete or materially untrue information in his license application.

#### **ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Scott Cash Daniels is **FINED ONE HUNDRED AND FIFTY DOLLARS (\$150.00)** for providing incorrect, misleading, incomplete or materially untrue information in his license application. **The \$150.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$150.00 civil fine shall be paid by money order or cashier’s check. Respondent’s application for a nonresident insurance producer license may be granted upon receipt of payment of the fine and reporting of the administrative action. Failure to pay the civil fine or request a hearing within thirty (30) days will result in your license application being withdrawn.

**IT IS FURTHER ORDERED, ADJUDGED AND DECREED** by the Insurance Commissioner that this Order is a Conditional Order. Unless the Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of mailing of this Order, this Order and the penalties set forth above shall become a Final Order on the thirty-first day following the date of mailing this Order. A request for hearing should be in writing addressed to Dan R. Byrd, Oklahoma



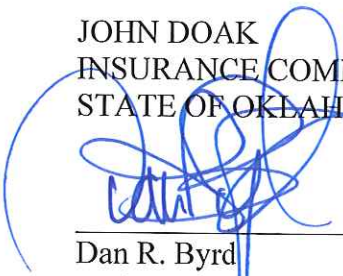
Insurance Department, Legal Division, 3625 NW 56<sup>th</sup> St., Suite 100, Oklahoma City, Oklahoma 73112. The request for hearing must state the grounds for the request to set aside or modify the Order.

Any such hearing shall be conducted according to the procedures for contested cases under the Insurance Code and 75 O.S. § 250-323. If the Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall act as notice of the matters to be reviewed at the hearing, and the Allegations of Fact, Alleged Violations of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 5<sup>th</sup> day of November, 2015.



JOHN DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

  
\_\_\_\_\_  
Dan R. Byrd  
Assistant General Counsel  
3625 NW 56<sup>th</sup> St., Suite 100  
Oklahoma City, OK 73112

**CERTIFICATE OF MAILING**

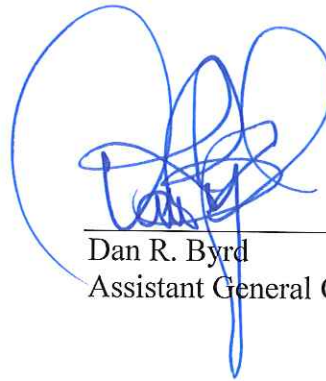
I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Conditional Administrative Order and Notice of Right to be Heard was mailed by certified mail, with postage prepaid and return receipt requested, on this 5<sup>th</sup> day of November, 2015, to:

Scott Cash Daniels  
10835 Richmond Place  
Cooper City, FL 33026

**CERTIFIED MAIL NO. 7015 0640 0002 7406 7580**

and a copy was delivered to:

DeAnna Hughes  
Licensing Division



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Dan R. Byrd  
Assistant General Counsel

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**Scott Cash Daniels**  
10835 Richmond Place  
Cooper City, FL 33026  
15-1269-DEN/DRB(mt)  
(Cond. Adm. Ord. ~1-05-15)

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