

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED

JUL 14 2017

INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. DOAK, Insurance Commissioner,  
Petitioner,  
v.  
DRIGGERS ENTERPRISES INC.,  
an applicant for a resident  
business entity insurance producer license,  
Respondent.

Case No. 17-0486-DEN

CONDITIONAL ADMINISTRATIVE ORDER  
AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through his attorney, Barron B. Brown, and alleges and states as follows:

JURISDICTION

1. John D. 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., including the Oklahoma Producer Licensing Act (the "Act"), 36 O.S. §§ 1435.1 through 1435.41.
2. Driggers Enterprises Inc. ("Respondent") is an applicant for a resident business entity insurance producer license in the State of Oklahoma. Respondent's mailing address of record is 504 Greenfield Dr., Yukon, Oklahoma 73099.
3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the 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. Pursuant to 36 O.S. § 1435.4(A), "[a] person shall not sell, solicit, or negotiate insurance in this state for any class or classes of insurance unless the person is licensed for that line of authority in accordance with [the Act]." Within that, a "Person" for purposes of the Act ". . . means an individual or a business entity." 36 O.S. § 1435.2(16)

2. On or about April 30, 2017, Respondent's Oklahoma business entity insurance producer license expired.

3. On or about June 29, 2017, Respondent applied for reactivation of its business entity insurance producer license.

4. At the time of its application for reactivation, Respondent provided the Oklahoma Insurance Department's ("OID") Licensing Division with a list of insurance policies it had sold, solicited or negotiated in the State of Oklahoma after the date its license expired on April 30, 2017. A copy of this list is attached as Petitioner's Exhibit A.

5. More specifically, the highlighted entries in Petitioner's Exhibit A reflect insurance policies that Respondent admitted it had sold, solicited or negotiated in the State of Oklahoma since its license expired on April 30, 2017. The total number of policies sold, solicited or negotiated by Respondent since its license expired amounts to approximately twenty-four (24).

**ALLEGED VIOLATIONS OF LAW**

1. Respondent violated 36 O.S. § 1435.13(A)(2) by selling, soliciting, or negotiating insurance in the State of Oklahoma without being properly licensed in violation of 36 O.S. § 1435.4(A).

**ORDER**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner that Respondent is **CENSURED** and **FINED FIVE HUNDRED DOLLARS (\$500.00)** for a violation of 36 O.S. §§ 1435.13(A)(2) and 1435.4(A). **The \$500.00 fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$500.00 civil fine shall be paid by money order or cashier's check. Respondent's application for a resident business entity 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 Barron B. Brown, 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 Oklahoma Insurance Code (36 O.S. §§ 101 et seq.) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). 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 14<sup>th</sup> day of July, 2017.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*Barron B. Brown*

---

Barron B. Brown  
Assistant General Counsel  
Oklahoma Insurance Department  
3625 NW 56<sup>th</sup> St., Suite 100  
Oklahoma City, OK 73112  
(405) 521-2746

**CERTIFICATE OF MAILING**

I, Barron B. Brown, 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 14<sup>th</sup> day of July, 2017, to:

Driggers Enterprises Inc.  
504 Greenfield Dr.  
Yukon, OK 73099

**CERTIFIED MAIL NO. 9214 8902 0982 7500 0002 82**

and a copy was delivered to:

Licensing Division



---

Barron B. Brown  
Assistant General Counsel

Date Produced: 07/17/2017

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0002 82. Our records indicate that this item was delivered on 07/15/2017 at 12:02 p.m. in YUKON, OK 73099. The scanned image of the recipient information is provided below.

Signature of Recipient :



Address of Recipient :



Thank you for selecting the Postal Service for your mailing needs. If you require additional assistance, please contact your local post office or Postal Service representative.

Sincerely,  
United States Postal Service

The customer reference number shown below is not validated or endorsed by the United States Postal Service. It is solely for customer use.

Customer Reference Number: C467885.2973814





Wayne Driggers | Po Box 850768 | Yukon OK 73085

- May 1, 2017  
Appointment Betty Mills of Skiatook, Ok presenting Medicare Advantage Plan. No enrollment completed.
- May 3, 2017  
Called Bingo for the Dale Robertson Senior Center in Yukon, Ok;  
Appointment Deanie Kuepker of OKC presenting Medicare Advantage Plan. Enrollment completed for June 1, 2017.
- May 5, 2017  
Appointment Elizabeth Hammons of Edmond presenting Medicare Advantage Plan. Enrollment completed for July 1, 2017.  
Appointment Roberta Boyd of Yukon, Ok presenting Medicare Advantage Plan. Enrollment completed for June 1, 2017
- May 9, 2017  
Appointment Debra Nitzel of Norman, Ok presenting Medicare Advantage Plan. Enrollment completed for June 1, 2017
- May 10, 2017  
Appointment Peggy Lucier of Yukon, Ok presenting Medicare Advantage Plan. No enrollment done.
- May 11, 2017  
Mustang Senior Center sponsor for recognition of Mother of the Year.
- May 17, 2017  
Called Bingo for the Dale Robertson Senior Center in Yukon, Ok  
Called Bingo for the Savannah House Apts in Yukon, Ok
- May 18, 2017  
Called Bingo for Autum Ridge Apts in Yukon, ok  
Appointment Dolores McCurdy of Yukon, Ok presenting Medicare Supplement and Prescription Drug plan. Enrollment completed for June 1, 2017.  
Appointment Jackie Drum of Yukon, Ok assisting client regarding disputed copays from physician.
- May 23, 2017  
Called Bingo for Nina Willingham Senior Housing in Yukon, Ok  
Appointment with Dave Bliss of Edmond, Ok presenting Medicare Advantage Plan. Enrollment completed for 6/1/2017.
- May 25, 2017  
Called Bingo for Landings of Pebble Creek in Mustang, Ok.  
Appointment Michael Ahern of Yukon, Ok presenting Medicare Advantage Plan. Enrollment completed for 8/1/2017.
- May 30, 2017  
Appointment with Glen Dunn of Broken Arrow, Ok presenting Medicare Advantage Plan. Enrollment completed for 6/01/2017.
- May 31, 2017  
Booth set up at the Dale Robertson Senior Center in Yukon for their annual Senior Health and Fitness Fair.

● June 5, 2017

Appointment Peng Yong of Tulsa, Ok presenting Medicare Advantage Plan. Enrollment completed for 9/1/2017.

Appointment Patricia Harman of Tulsa, Ok presenting Medicare Supplement and Prescription Drug plan. Enrollment completed for 7/1/2017.

● June 7, 2017

Called bingo for Dale Robertson Senior Center Yukon, Ok

Appointment Grover Knight OKC, Ok presenting Medicare Supplement and Prescription Drug Plan. No enrollment completed.

● June 12, 2017

Appointment Bill MacKelvie Yukon, Ok presenting Medicare Supplement. Enrollment completed for 7/01/2017.

● June 13, 2017

Dolores McCurdy Yukon, Ok getting extra documentation to send in for her supplment already processed.

Appointment Peggy Wong of Yukon, Ok presenting Medicare Supplement. Enrollment completed for 8/1/2017.

● June 14, 2107

Erlinda Beltran OKC, Ok review of and assistance on her plan benefits. Not one of my members.

● June 15, 2017

Mustang Senior Center Mustang, Ok. Sponsor for Father of the Year award.

Called bingo for Savannah House Senior Apts in Yukon.

● June 19, 2017

Randy and Sonja Mask of Claremore, Ok presenting Medicare Advantage plan. No enrollment done.

● June 21, 2017

Called bingo for Dale Robertson Senior Center Yukon, Ok.

Appointment James Schwainger Yukon, Ok presenting Medicare Advantage plan. Enrollment completed for 7/1/2017.

Appointment for Angeline McGuire Yukon, Ok presenting Medicare Advantage plan. Enrollment completed for 7/01/2017.

● June 22, 2017

Called bingo for Landings at Pebble Creek senior apts Mustang, Ok

Appointment Grover Knight to complete enrollment for Medicare Supplement.

● June 27, 2017

Appointment Patricia Harmon Tulsa, Ok pesenting Medicare Advantage plan. Enrollment competed for 7/1/2017 replacing her previous application for Medicare Supplement and Prescription drug plan.

● June 28, 2017

Appointment Stephen McCloy of OKC, Ok presenting Medicare Supplement and Prescription Drug plan. No enrollment processed.

Appointment Tom Conaway of OKC, Ok presenting Medicare Advantage Plan. Enrollment completed for 7/1/2017.

● June 29, 2017

Called Bingo for Autumn Ridge Senior Apts Yukon.

Appointment William Mackelvie Yukon, Ok. Review benefits, answer questions regarding plan he recently enrolled in.