

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED
AUG 30 2018
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D.)
DOAK, Insurance Commissioner,)

Petitioner,)

v.)

Case No. 18-0621-DIS

RACHEL JURGENS, an applicant)
for reactivation of a resident insurance producer)
license in the State of Oklahoma,)

Respondent.)

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 AND AUTHORITY

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, 36 O.S. §§ 1435.1 through 1435.41.

2. Rachel Jurgens ("Respondent") is an applicant for reactivation of a resident insurance producer license in the State of Oklahoma. Respondent's mailing address of record is 1306 S. 10th St., Blackwell, Oklahoma 74631-4629.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke or refuse to issue or renew a 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. 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 Oklahoma Producer Licensing Act."

2. On July 31, 2018, Respondent's Oklahoma insurance producer license expired.

3. On August 20, 2018, Respondent applied for reactivation of her insurance producer license.

4. On August 21, 2018, Respondent was asked via email by the Oklahoma Insurance Department's ("OID") Licensing Division whether she had been selling, soliciting or negotiation insurance since the date her license expired and, if so, to provide a list of insurance policies she had sold, solicited or negotiated in the State of Oklahoma after the date her license expired. By email response dated August 21, 2018, Respondent provided the requested list (the "provided list") to the OID's Licensing Division.

5. More specifically, the provided list showed that Respondent had sold, solicited or negotiated approximately thirty-four (34) insurance policies without being properly licensed with the OID as required by 36 O.S. § 1435.4(A).

ALLEGED VIOLATIONS OF LAW

1. Respondent violated 36 O.S. § 1435.13(A)(2), violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's Insurance Commissioner, through a violation of 36 O.S. § 1435.4(A), by

selling, soliciting, or negotiating insurance in the State of Oklahoma without being properly licensed.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner that Respondent is **FINED ONE HUNDRED DOLLARS (\$100.00)**. **The \$100.00 civil fine is to be paid within thirty (30) days** made payable to the Oklahoma Insurance Department. The \$100.00 civil fine shall be paid by money order or cashier's check. Respondent's application for reactivation of her resident 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 Respondent's license application being withdrawn.

IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Allegations of Fact set forth above within thirty (30) days of the date of receipt 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 receipt of this Order. A request for hearing should be in writing addressed to Barron B. Brown, Oklahoma Insurance Department, Legal Division, 3625 NW 56th 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.), Oklahoma Administrative Code, Title 365 – Insurance Department (O.A.C. 365:1-7-1 through 1-7-

9) and the Oklahoma Administrative Procedures Act (75 O.S. §§ 308a et seq.). If 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 30th day of August, 2018.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Barron B. Brown

Barron B. Brown
Assistant General Counsel
Oklahoma Insurance Department
3625 NW 56th 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 30th day of August, 2018, to:

Rachel Jurgens
1306 S. 10th St.
Blackwell, OK 74631-4629

CERTIFIED MAIL NO.

9214 8902 0982 7500 0121 86

and a copy was delivered to:

Licensing Division

Barron B. Brown

Barron B. Brown
Assistant General Counsel



18-062+Dis
BBB

Date Produced: 09/03/2018

OKLAHOMA INSURANCE DEPARTMENT:

The following is the delivery information for Certified Mail™/RRE item number 9214 8902 0982 7500 0121 86. Our records indicate that this item was delivered on 09/01/2018 at 02:48 p.m. in BLACKWELL, OK 74631. The scanned image of the recipient information is provided below.

Signature of Recipient :

Address of Recipient :

1306 S 10TH

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