

FILED
MAR 16 2022
INSURANCE COMMISSIONER
OKLAHOMA

Case No. 22-0013-DEN

O.S. §§ 101 *et seq.*, including the Oklahoma Producer Licensing Act, 36 O.S. §§ 1435.1 through 1435.41.

2. Deawna Harvey is an applicant for a resident insurance producer license. Respondent's mailing address of record is 1100 Riverwalk Terrace Suite 220, Jenks, Oklahoma 74037.

3. The Insurance Commissioner may place on probation, censure, suspend, revoke, or refuse to issue or renew a license issued pursuant to the Act or may impose a civil fine of not less than \$100.00 nor more than \$1,000.00 when an applicant has been convicted of a felony. *See* 36 O.S. §§ 1435.13(A)(6) and (D).

4. The Insurance Commissioner, pursuant to 36 O.S. § 319, appointed the undersigned Independent Hearing Examiner to sit as a quasi-judicial officer over the above-entitled cause.

FINDINGS OF FACT

5. On or about September 15, 2021, Respondent applied for a resident insurance producer license in Oklahoma.

6. On the Oklahoma application form, question 1b asked the following question: "Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?" Respondent answered "Yes" to question 1b on her application.

7. On or about October 27, 2021, the Department Licensing Division denied Respondent's application for having been convicted of the following felonies:

- a) One felony count of Possession of Controlled Dangerous Substance and one felony count of Child Endangerment in *State of Oklahoma v. Deawna Marie Harvey*, CF-2012-028, District Court of Creek County;

- b) One felony count of Larceny of Merchandise from a Retailer in *State of Oklahoma v. Deawna M Harvey*, CF-2014-3414, District Court of Tulsa County;
- c) One felony count of Larceny of Merchandise From Retailer in *State of Oklahoma v. Deawna M. Harvey*, CF-2014-4057, District Court of Tulsa County; and
- d) One felony count of Larceny of Lost Property in *State of Oklahoma v. Deawna Marie Harvey*, CF-2018-0531, District Court for Tulsa County.

8. On November 30, 2021, the Department issued a *Notice of Hearing and Order to Show Cause* alleging that Deawna Harvey violated provisions of the Act in Department Case No. 21-0605-DEN, *State of Oklahoma v. Harvey*.

9. On December 8, 2021, an administrative hearing was held for Department Case No. 21-0605 before an appointed independent hearing examiner. After hearing the arguments of the Petitioner and Respondent and considering the documentary exhibits admitted into the record and hearing the sworn-in testimony of witnesses, the Independent Hearing Examiner upheld the decision of the Department to deny Respondent's resident insurance producer application.

10. On December 17, 2021, the *Final Administrative Order* for Case No. 21-0605, *State of Oklahoma v. Harvey*, was filed and served on the Parties. The *Final Administrative Order* ordered Respondent's resident producer license to be denied based on the evidence presented and the Insurance Commissioner's authority to deny an application for a resident insurance producer license on the basis of the applicant having been convicted of a felony.

11. On or about December 20, 2021, Respondent again applied for a resident insurance producer license with the Department.

12. On the Oklahoma application form, question 1b asks the following: “Have you ever been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?” Respondent answered “Yes” to question 1b on her application.

13. There was no alteration in the status of the felony convictions in the cases described in subsection 7(a) – (d) between the time the Department’s decision to deny Respondent’s September 15, 2021, application was upheld in Department Case No. 21-0605-DEN and the time Respondent’s December 20, 2021, application was submitted.

14. On or about December 21, 2021, the Department Licensing Division denied Respondent’s application for having been convicted of multiple felonies.

CONCLUSIONS OF LAW

15. Respondent violated 36 O.S. § 1435.13(A)(6) on five occasions by having been convicted the felonies of Possession of a Controlled Dangerous Substance and Child Endangerment in case number CF-2012-028, the felony of Larceny of Merchandise from Retailer in case numbers CF-2014-4057 and CF-2014-3414, and the felony of Larceny of Lost Property in case number CF-2018-0531.


ORDER

IT IS THEREFORE ORDERED, based on the evidence set forth above, Respondent's resident producer license is hereby **DENIED**.

Done this 14th day of March 2022.



GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA



JOHN D. MILLER
Independent Hearing Examiner
Oklahoma Insurance Department
400 NE 50th Street
Oklahoma City, OK 73105

CERTIFICATE OF MAILING

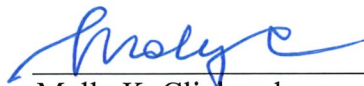
I, Molly K. Clinkscales, hereby certify that a true and correct copy of the above and foregoing *Final Administrative ORder* was mailed by certified mail, with postage prepaid and return receipt requested, on this 16th day of March 2022 to:

Deawna Harvey
1100 Riverwalk Terrace, Suite 220
Jenks, OK 74037
dharvey@stronglyfe.com

CERTIFIED MAIL NO:
9214 8902 0982 7500 0446 75

and a copy was delivered to:

Licensing Division



Molly K. Clinkscales
Assistant General Counsel



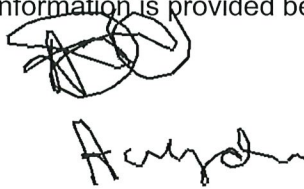
22-0013-DEW
MRC

Date Produced: 03/21/2022

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