

BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA

FILED

AUG 25 2011

INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN)
D. DOAK, Insurance Commissioner,)
)
Petitioner,)
)
v.)
)
DUANE KAE SWIFT,)
a licensed adjuster,)
)
Respondent.)

Case No. 11-0879-DIS

**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, Julie Meaders, 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.

2. Duanea Kae Swift is a licensed adjuster employed at Mid-Continent Casualty Company in Tulsa, Oklahoma. Her adjuster license 122267 became inactive on September 1, 2010 for failing to meet continuing education requirements. Her address of record is [REDACTED].

3. The Insurance Commissioner may censure, suspend, revoke, or refuse to issue a renewal adjuster license or may issue a fine of not more than \$1,000.00 for each violation of the Insurance Adjusters Licensing Act. 36 O.S. § 6220(A) and (B).

ALLEGATIONS OF FACT

1. Respondent Duanea Kae Swift (“Respondent”) submitted an application to reinstate her adjuster license on August 8, 2011. The application stated under Respondent’s employment history that she is presently a claim processing supervisor at Mid-Continent Casualty Company in Tulsa, Oklahoma.

2. Respondent declared under penalty of perjury that the statements made in the application were true and complete.

3. Oklahoma Insurance Department records reveal that Respondent was issued adjuster license 122267 on September 1, 2008. The license became inactive on August 31, 2010 for failing to meet continuing education requirements. Respondent became compliant with continuing education requirements and requested reinstatement of her license.

4. Respondent was required to maintain an active adjuster license while employed as a claim processing supervisor with Mid-Continent Casualty Company.

CONCLUSIONS OF LAW

1. Respondent violated 36 O.S. § 6204(A) in failing to maintain an active adjuster license while employed in an insurance-related business, thereby in violation of 36 O.S. § 6220(A)(8).

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner, subject to the following paragraph, that the Respondent violated 36 O.S. § 6220(A)(8) and as a result **Respondent is FINED** in the amount of **TWO HUNDRED AND FIFTY DOLLARS (\$250.00)**. **Fine to be paid within thirty**

(30) days of receipt of this Order. License will be reinstated upon payment of the fine.

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 Julie Meaders, Oklahoma Insurance Department, Legal Division, 3625 NW 56th Street, 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 25th day of August, 2011.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Meaders

Julie Meaders
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, OK 73112
Telephone: (405) 521-2746
Facsimile: (405) 522-0125

CERTIFICATE OF MAILING

I, Julie Meaders, 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 25th day of August, 2011 to:

Duanea Kae Swift



CERTIFIED MAIL NO: 7008 1830 0003 9411 8214

and that notification was sent to:

NAIC/RIRS

and that a copy was delivered to:

Leah Scoles
Licensing Division



Julie Meaders