

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN)	
MULREADY, Insurance Commissioner,)	
)	
Petitioner,)	
v.)	Case No. 21-0421-DIS
)	
REGINALD JOHN WELLS,)	
a resident producer,)	
)	
Respondent.)	

FILED
JUN 13 2022
INSURANCE COMMISSIONER
OKLAHOMA

ADMINISTRATIVE ORDER

This matter is a proceeding under the Oklahoma Insurance Code (“Code”), 36 O.S. § 101, et. seq., including the Oklahoma Producer Licensing Act, 36 O.S. § 1435.1, et seq. This matter is conducted pursuant the Oklahoma Administrative Procedures Act, 75 O.S. § 301, et. seq., whereby Respondent, Reginald John Wells, is licensed by the State of Oklahoma as a resident insurance producer a defined by 36 O.S. § 1435.2 (7). The Oklahoma Department of Insurance (hereinafter OID) filed and issued on March 25, 2022, a Notice of Hearing and Order for Show Cause as to why the resident producer license of Reginald John Wells should not be immediately cancelled, suspended, revoked and/or whether she should be fined based upon allegations set forth in the Notice of Hearing which were actions asserted by OID to be violations of the Oklahoma Insurance Code. Proper notice was given to the Respondent of the hearing by certified mail and the Order setting a hearing date of May 10, 2022.

On May 10, 2022, the above captioned case came on for hearing at the office of the Department of Insurance, 400 NE 50th Street, Oklahoma City, Oklahoma 73105, and testimony and evidence was received at that time. Oklahoma Insurance Commissioner Glen Mulready had

appointed the independent Hearing Examiner, John D. Miller, to preside at the hearing as a quasi-judicial officer pursuant 36 O.S. § 319. The hearing was commenced and recorded electronically by employees of the Department. Respondent, Reginald John Wells, appeared in person to represent himself. The OID was represented by Antuanya “Bo” DeBose, Assistant General Counsel. Testimony and evidence were taken in regard to activity of Respondent in regard to his actions as a resident insurance producer. John Joseph Huntington, OID investigator testified as the sole witness for the Department. Petitioners offered Exhibits A through J which were admitted without objection. After the testimony of OID’s witness, Respondent testified on his own behalf. Respondent offered Respondent’s Exhibits 1 through 11 which were admitted without objection. No other witnesses were called to testify. At the conclusion of the evidence and after closing statements were made by the parties, the Court took the matter under advisement to review the documents submitted, prior to issuing its ruling.

Therefore, after consideration of the testimony and evidence presented in the case, this independent Hearing Examiner issues his findings of fact and conclusions of law.

FINDINGS OF FACT

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and as such is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code (hereinafter “Code”), 36 O.S. §§ 101-7301.

2. Respondent, Reginald John Wells, is a licensed resident insurance producer in the State of Oklahoma holding license number 100178659 with a mailing address on record with the OID of [REDACTED] and the Oklahoma Insurance Department (OID) has jurisdiction over the subject matter raised in this action and likewise has the

jurisdiction and authority to impose penalties for any and all violations of the Oklahoma Insurance Code committed by the Respondent which are established by clear and convincing evidence.

3. The Insurance Commissioner, pursuant 36 O.S. § 319, appointed the undersigned independent Hearing Examiner and that Hearing Examiner has the jurisdiction to sit as a quasi-judicial officer and to rule on the matters related to this case.

4. That Respondent, Reginald John Wells, solicited ACA Marketplace Blue Cross/Blue Shield health coverage for Native Americans via Facebook no deductibles and no co-pays. OIG investigator, John Joseph Huntington discovered eleven (11) individuals who filed complaints with the ACA Marketplace against the Respondent for his actions in dealing with them regarding health coverage. Investigator Huntington presented evidence related to three (3) of the complainants' interaction with Respondent. Those three complainants in which the complaints were consistent were Jessica Harris, Ashley Guinn and Jadon Wisdom.

5. The evidence established a recurring theme that each of the complainants interviewed received insurance products for themselves and their families that they did not need or want. They did not understand or comprehend the products they were receiving.

6. Each complainant was assigned a different email address by the Respondent in the application process.

7. The information communicated to the complainants was not done in a clear and effective manner and caused confusion and distrust to them.

8. While the complainants suffered no net financial loss, the services provided to each of the three complainants in which testimony on their interactions were presented were each done in a misleading and untrustworthy manner.

CONCLUSIONS OF LAW

1. Pursuant 36 O.S. § 1435.13 (D), the Insurance Commissioner has the authority to place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act (“Act”) as well as impose a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence or violation of the provisions of the Act.

2. Respondent Wells violated 36 O.S. § 1435.13 (A) (5) by misleading clients about their ACA Marketplace health coverage and inputting misleading information on ACA Marketplace applications.

3. Respondent Wells also violated 36 O.S. § 1435.13 (A) (8) by signing clients up for insurance that they did not request or need.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that it has been established by clear and convincing evidence that Respondent, Reginald John Wells, has violated 36 O.S. § § 1435.13 (A) (5) and 1435.13 (A) (8) of the Oklahoma Producer Licensing Act and as a result his license is to be suspended for a period of ninety (90) days effective as of the date of receipt of this order by the Respondent and a civil penalty imposed in the form of a FINE in the amount of Three Thousand Dollars (\$3,000.00) total for the actions and violations related to the complainants. The fine is to be paid in full prior within ninety (90) days of execution of this Order and is a requirement prior to the reinstatement of Respondent’s producer license.

CONCLUSIONS OF LAW

1. Pursuant 36 O.S. § 1435.13 (D), the Insurance Commissioner has the authority to place on probation, censure, suspend, revoke or refuse to issue or renew a license issued pursuant to the Oklahoma Producer Licensing Act (“Act”) as well as impose a civil fine of not less than One Hundred Dollars (\$100.00) nor more than One Thousand Dollars (\$1,000.00) for each occurrence or violation of the provisions of the Act.

2. Respondent Wells violated 36 O.S. § 1435.13 (A) (5) by misleading clients about their ACA Marketplace health coverage and inputting misleading information on ACA Marketplace applications.

3. Respondent Wells also violated 36 O.S. § 1435.13 (A) (8) by signing clients up for insurance that they did not request or need.

ORDER

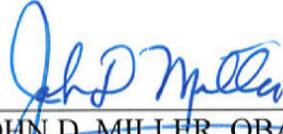
IT IS THEREFORE ORDERED, ADJUDGED AND DECREED that it has been established by clear and convincing evidence that Respondent, Reginald John Wells, has violated 36 O.S. § § 1435.13 (A) (5) and 1435.13 (A) (8) of the Oklahoma Producer Licensing Act and as a result his license is to be suspended for a period of ninety (90) days effective as of the date of receipt of this order by the Respondent and a civil penalty imposed in the form of a FINE in the amount of One Thousand Dollars (\$1,000.00) for each of the actions and violations related to each of the complainants for a total fine amount of Three Thousand Dollars (\$3,000.00). The fine is to be paid in full prior within ninety (90)

days of execution of this Order and is a requirement prior to the reinstatement of Respondent's producer license.

IT IS FURTHER ORDERED that Reginald John Wells is assessed the costs of this matter in the amount of Five Hundred Six Dollars (\$506.00) to be paid to the Oklahoma Insurance Department with thirty (30) days of the receipt of this order.

WITNESS My Hand this 8th day of June, 2022.





JOHN D. MILLER, OBA # 6213
INDEPENDENT HEARING EXAMINER
OKLAHOMA INSURANCE DEPARTMENT

CERTIFICATE OF MAILING

I, Antuanya "Bo" DeBose, hereby certify that a true and correct copy of this above and foregoing Administrative Order was mailed via certified mail with return receipt requested, and via regular mail, on the 13th day of June, 2022, to:

Reginald John Wells



CERTIFIED MAIL NO.: 9214 8902 0982 7500 0471 26

And that a copy was delivered to:

OID Licensing and Anti-Fraud Division

A handwritten signature in blue ink that reads "A DeBose".

Antuanya "Bo" DeBose
OID Assistant General Counsel
400 NE 50th
Oklahoma City, OK 73112