BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
SEP 26 2023
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN MULREADY, Insurance Commissioner,	)	
Petitioner,	)	
v.	)	**Case No. 23-0296-DIS**
ROSEMARY RACHELLE HAWKINS, a resident producer,	)	
Respondent.	)	

CONDITIONAL ADMINISTRATIVE ORDER AND NOTICE OF RIGHT TO BE HEARD

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, by and through counsel, Antuanya "Bo" DeBose, and alleges and states as follows:

JURISDICTION

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, 36 O.S. §§ 101-7401, including the Unfair Claims Settlement Practices Act, 36 O.S. §1250.1 et seq..

2. Rosemary Rachelle Hawkins ("Respondent") is a licensed resident producer in the state of Oklahoma holding license number 3002204564. Respondent's address of record is [redacted].

3. If Respondent requests a hearing in writing pursuant to OAC 365:1-7-1, the Insurance Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

FINDINGS OF FACT

1. On or about April 7, 2023, the Consumer Assistance Division of the Oklahoma Insurance Department ("OID") emailed a letter to Respondent and requested a response within twenty (20) days of receipt. The OID file number for this request is #115720. The letter was emailed to [redacted].

2. On or about April 27, 2023, OID emailed another letter to the Respondent and a response was requested within twenty (20) days of receipt.

3. As of the date of this Order, Respondent has failed to submit a response to any of OID's request(s).

4. A copy of the aforementioned letters are attached as *"Petitioner's Exhibit A"* and *"Petitioner's Exhibit B."*

5. Pursuant to 36 O.S. §1250.4(B), "Any person subject to the jurisdiction of the Commissioner, upon receipt of any inquiry from the Commissioner shall, within twenty (20) calendar days from the date of receipt of the inquiry, furnish the Commissioner with an adequate response to the inquiry. The Commissioner may, upon good cause shown and on a case-by-case basis, extend the time allowed for a response for up to seven (7) additional calendar days. Any inquiry or response subject to this subsection shall be delivered electronically."

6. Pursuant to 36 O.S. §1250.4(D), the Insurance Commissioner may subject the insurer to discipline for any violation of 36 O.S. §1250.4, including a civil penalty of not less than One Hundred Dollars ($100.00) nor more that Five Thousand Dollars ($5,000.00)

CONCLUSIONS OF LAW

1. Respondent has violated 36 O.S. §1250.4(B) by failing to furnish an adequate response to two (2) inquiry letters from the Commissioner within twenty (20) calendar days from

the date of the inquiry.

ORDER

IT IS THEREFORE ORDERED that Respondent shall provide a response to the Oklahoma Insurance Department letters referenced above and is fined in the amount of Five Hundred Dollars ($500.00). The response shall be submitted to the Oklahoma Insurance Department within thirty (30) days of the date of this Conditional Administrative Order. The fine shall be made payable to the Oklahoma Insurance Department and sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105. Failure to comply with a proper order of the Commissioner will result in further administrative action.

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 Findings of Fact set forth above within thirty (30) days of the date of this Conditional Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Antuanya "Bo" DeBose, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the *Oklahoma Administrative Procedures Act,* 75 O.S. §§ 250 through 324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions 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 26th day of September 2023.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

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CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 26th day of September, 2023, to:

Rosemary Rachelle Hawkins
[redacted]

CERTIFIED MAIL NO:
9214 8902 0982 7500 0571 87

and a copy was delivered to:

Licensing and Consumer Assistance Division

Antuanya "Bo" DeBose
Assistant General Counsel