BEFORE THE INSURANCE COMMISSIONER OF THE STATE OF OKLAHOMA

FILED
DEC 05 2024
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. **GLEN MULREADY**, Insurance Commissioner, Petitioner, v. **Andrea L. Clemmons,** an applicant for renewal of an Oklahoma resident producer license, Respondent.	)	Case No. 24-0840-DIS

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 his attorney, Julie Reding, and alleges and states as follows:

JURISDICTION

1. Glen Mulready 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. §§ 101-7402 and the Oklahoma Producer Licensing Act, 36. O.S. §§ 1435.1–1435.41.

2. Respondent Andrea L. Clemons ("Respondent") holds an expired resident limited lines producer license, license number 124124 and is an applicant to renew her expired resident producer license (transaction number 769994514). Respondent's mailing address of record is [redacted].

3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. §§ 1435.4, 1435.7, 1435.13(A) and (D).

4. Pursuant to 36 O.S. § 1435.13(A) & (D), in addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, the Insurance Commissioner may levy a fine up to $1,000.00 for each violation of the Oklahoma Producer Licensing Act.

5. Pursuant to OAC 365:1-7-1, if Respondent requests a hearing in writing in this matter, 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.

6. Pursuant to 75 O.S. §§ 309(C) & 310(3) & (5); OAC 365:1-7-4(a)-(b), hearings are open to the public and Respondent has a right to appear in person and with counsel to present evidence, examine witnesses, and make oral arguments. OAC 365:1-1-5(a).

7. Pursuant to OAC 365:1-7-5, the Insurance Commissioner, upon written request reasonably made by a person affected by the hearing and at such person's expense, shall cause a full stenographic record of the proceedings to be made by a competent court reporter.

FINDINGS OF FACT

8. On or about October 31, 2024, Respondent's resident producer license expired.

9. On or about November 12, 2024, Respondent submitted her application to renew her resident producer license (transaction number 769994514).

10. On or about November 26, 2024, the Oklahoma Insurance Department Licensing Division (OID) issued an audit letter requiring Respondent to disclose any instances Respondent sold, solicited, or negotiated insurance in the State of Oklahoma since October 31, 2024.

11. On or about November 26, 2024, Respondent replied to OID's audit letter and disclosed one hundred thirteen (13) occurrences of selling, soliciting or negotiating insurance in

the State of Oklahoma between the dates of November 1, 2024 and November 26, 2024, while Respondent's license was expired.

12. Pursuant to the provisions of 36 O.S. §1435.13:

> A. 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 or may levy a civil penalty in accordance with subsection D of this section or any combination of actions, for any one or more of the following causes: . . . 2. Violating any insurance laws, or violating any regulation, subpoena or order of the Insurance Commissioner or of another state's insurance Commissioner;
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> . . .
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> D. In addition to or in lieu of any applicable denial, probation, censure, suspension or revocation of a license, a person may, after opportunity for hearing, be subjected to a civil fine of not more than One Thousand Dollars ($1,000.00) for each occurrence. The said penalty may be enforced in the same manner in which civil judgements may be enforced.

CONCLUSIONS OF LAW

13. Respondent has violated 36 O.S. § 1435.4(A) and 36 O.S. § 1435.13(A)(2) by conducting the business of insurance of selling, soliciting, or negotiating thirteen (13) policies while Respondent's license was expired.

ORDER

IT IS THEREFORE ORDERED, ADJUDGED, AND DECREED that Respondent is hereby **CENSURED** and **FINED Four Hundred Dollars ($400.00).** The fine shall be paid within thirty (30) days of the date of this Conditional Administrative Order. The fine must be paid online through the Department's website on the Legal Division's homepage at https://www.oid.ok.gov/about-oid/divisions-programs/legal-division/ by navigating to the "Pay Fees and Fines Online" tab under the "Legal Division" menu along the left-hand side of the page. Payment will include a nonrefundable processing fee of One Dollar ($1.00), which you must agree to accept by clicking the "Accept Terms and Conditions" button. On the next screen, you will

select the "Payment Type" from the drop-down menu by selecting "Legal Fines and Costs" and clicking "Continue," which will take you to a page to complete your payment. Should you experience difficulty completing your online payment, please, contact the Legal Division at (405) 521-2746 for assistance. 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 the 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, it and the penalties set forth above will become a Final Order on the thirty-first (31st) day from the date of mailing this Order. A request for hearing must be in writing and should be addressed to Julie Reding, Oklahoma Insurance Department, Legal Division, 400 NE 50th St. Oklahoma City, Oklahoma 73105. The request for hearing must state the specific grounds to be relied upon as a basis for setting aside or modifying this Conditional 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. §§ 250-324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order shall serve as 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 5th day of December 2024.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

Julie Reding

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CERTIFICATE OF MAILING

I, Julie Reding, hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to be Heard* was sent by email and by certified mail with postage prepaid and return receipt requested on this 5th day of December, 2024 to:

Andrea L. Clemons
[redacted]
Email: andreac@youraig.com

CERTIFIED MAIL NO.
9214 8902 0982 7500 0672 61

and

that a copy was delivered to:

Licensing Division

Maria Torres for
Julie Reding