

**BEFORE THE COMMISSIONER OF INSURANCE
OF THE STATE OF KANSAS**

FINAL ORDER Effective: 1/17/02
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In the Matter of the Kansas Nonresident)	
Insurance Agent's License of)	Docket No. 3116-SO
RAYMOND VICTOR HENDERSON)	

SUMMARY ORDER
**(Pursuant to L. 2002, Ch. 158, Sec. 21
and K.S.A. 77-537)**

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by L. 2002, Ch. 158, Sec. 21, the Commissioner hereby revokes the license of Raymond Victor Henderson ("Henderson"), by way of Summary Order, as provided by K.S.A. 77-537.

The Commissioner has been shown the following facts, and takes the following action:

1. Records maintained by the Kansas Insurance Department ("KID") indicate Henderson is a resident of the State of Oklahoma, and has a current mailing address of 12401 West Macarthur #3009, Oklahoma City, Oklahoma 73162, and that he is licensed to transact the business of insurance as a nonresident agent in the State of Kansas.
2. Accordingly, the Commissioner has jurisdiction over Henderson and the subject matter of this proceeding, and such proceeding is held in the public interest.
3. On October 8, 2002, the KID received a letter from The Hartford Company ("Hartford") terminating all Hartford appointments of Henderson because he had his resident license revoked by the Oklahoma Insurance Department ("OID") on September 5, 2002. A copy of the OID Order was enclosed with the letter from Hartford.

4. Henderson's resident agent's license was revoked by the OID because he failed to notify the department of an address change and failed to make the required disclosure on his application for a insurance agent's license.

5. The KID confirmed with the National Association of Insurance Commissioners through the Regulatory Information Retrieval System that Henderson's resident insurance agent's license had, indeed, been revoked by the OID.

6. Henderson has failed or refused to notify the KID of the revocation of his resident insurance agent's license by the State of Oklahoma.

7. Since Hartford cancelled all their appointments, which were the only appointments Henderson had in the State of Kansas, he has not been certified or appointed to transact the business of insurance by any other insurance company.

Conclusions of Law

8. K.S.A. 40-241 provides, in relevant part:

"...If the commissioner of insurance finds that the individual applicant is trustworthy, competent and has satisfactorily completed the examination, the commissioner shall forthwith issue to the applicant a license as an insurance agent but the issuance of such license shall confer no authority to transact business in this state until the agent has been certified by a company pursuant to K.S.A. 40-241i, and amendments thereto..."

9. L. 2002, Ch. 158, Sec. 21 provides, in relevant part:

"(a) The commissioner may...revoke...any license issued under this act if the commissioner finds that the...license holder has:...

(2) Violated:

(A) Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder;...

(C) any insurance law or regulation of another state;...

(9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any other state, district or territory....

(b) In addition, the commissioner may...revoke...any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license..."

10. K.A.R. 40-7-9 provides, in relevant part:

"Each person licensed in this state as an insurance agent shall, within 30 days of occurrence, report to the commissioner of insurance:..."

(a) Each disciplinary action on the agent's license or licenses by the insurance regulatory agency of any other state or territory of the United States;..."

11. Based upon the information contained in paragraphs 3 and 7 above, it appears that Raymond Victor Henderson has not been certified or appointed by a insurance company and, therefore, has no authority to transact the business of insurance in the State of Kansas, in violation of K.S.A. 40-241.

12. Based upon the information contained in paragraph 6 above, it appears that Raymond Victor Henderson has violated K.A.R. 40-7-9 by failing or refusing to notify the KID of the revocation of his resident insurance agent's license by the Oklahoma Insurance Department, in violation of L. 2002, Ch. 158, Sec. 21(a)(2)(A).

13. Based upon the information contained in paragraphs 3 through 5 above, it appears that Raymond Victor Henderson has violated the laws or regulations of the State of Oklahoma by failing to notify the Oklahoma Insurance Department of an address change and failing to make the required disclosure on his application for insurance agent's license, in violation of L. 2002, Ch. 158, Sec. 21(a)(2)(C).

14. Based upon the information contained in paragraphs 3 through 5 above, it appears that Raymond Victor Henderson had his insurance agent's license revoked by the Oklahoma Insurance Department, in violation of L. 2002, Ch. 158, Sec. 21(a)(9).

15. Based upon the information contained in paragraph 6 above, it appears that Raymond Victor Henderson failed or refused to notify the KID of his resident insurance license revocation by the Oklahoma Insurance Department, in violation of K.A.R. 40-7-9(a).

16. Additionally, based upon the information contained in paragraphs 3 through 7 above, it appears that the interests of the insurer and insurable interests of the public are not properly being served under Raymond Victor Henderson's license, in violation of L. 2002, Ch. 158, Sec. 21(b).

17. Sufficient grounds exist for the revocation of the nonresident insurance agent's license of Raymond Victor Henderson, pursuant to L. 2002, Ch. 158, Sec. 21.

18. Based upon the facts and circumstances set forth hereinabove, it appears that the use of summary proceedings in the manner set forth herein does not violate any provision of the law, and the protection of the public interest does not require the KID to give notice and opportunity to participate to persons other than Raymond Victor Henderson, all in accordance with the provisions set forth in K.S.A. 77-537(a).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas nonresident insurance agent's license of Raymond Victor Henderson is hereby revoked.

Notice and Opportunity for Hearing

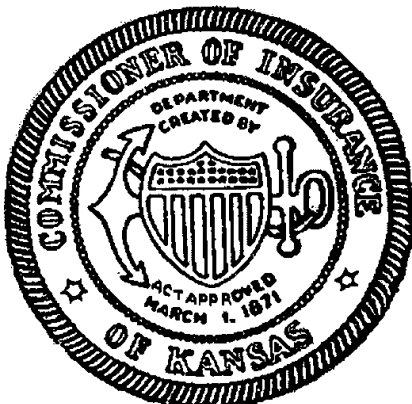
Raymond Victor Henderson, within fifteen (15) days of service of this Summary Order, may file with the KID written request for a hearing on this Summary Order, as provided for by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to:

Linda Sheppard
Assistant General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612

If a hearing is not requested, this summary order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period for requesting a hearing.

Any costs incurred as a result of conducting any administrative hearing authorized under the provision of L. 2002, Ch. 158, Sec. 21 shall be assessed against the agent who is the subject of the hearing, as provided for under L. 2002, Ch. 158, Sec. 21(f). Costs shall include witness fees, mileage allowances, any costs associated with the reproduction of documents which become part of the hearing record and the expense of making a record of the hearing.

IT IS SO ORDERED THIS __30th__ DAY OF DECEMBER, 2002, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



_____/s/ Kathleen Sebelius_____
Kathleen Sebelius
Commissioner of Insurance

BY:

/s/ Linda Sheppard
Linda Sheppard
Assistant General Counsel

Certificate of Service

The undersigned hereby certifies that the above and foregoing Summary Order was served this 30th day of December 2002, by depositing the same in the United States Mail, first class postage prepaid, addressed to the following:

Raymond Victor Henderson
12401 West Macarthur #3009
Oklahoma City, Oklahoma 73162

/s/ Linda Sheppard
Linda Sheppard