

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

FINAL ORDER

Effective: 01/27/04

In the Matter of the Kansas Nonresident)		Docket No. 3259-SO
Insurance Agent's License of)		
GINA MARIE STEIBLER)		

SUMMARY ORDER

(Pursuant to K.S.A. 2002 Supp. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 2002 Supp. 40-4909, the Commissioner hereby revokes the nonresident agent's license of Gina Marie Steibler ("Steibler") by way of Summary Order as provided by K.S.A. 77-537.

Findings of Fact

The Commissioner has been shown the following facts:

1. Records maintained by the Kansas Insurance Department ("KID") indicate that Steibler is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since February 7, 2000. KID records further indicate a legal and mailing address of 63 Tamaqua Street, Beaver Meadows, PA 18216.
2. The National Association of Insurance Commissioners ("NAIC") Regulatory Information Retrieval System ("RIRS") database reflects the following information: Steibler's Pennsylvania insurance agent's license was revoked by consent order, effective November 3, 2003, because of misappropriation of premium.

Applicable Law

3. K.S.A. 2002 Supp. 40-4909(a) provides, in relevant part:

"The commissioner may deny, suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the applicant or license holder has . . . (4) Improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business . . . (9) Had an insurance agent license, or its

equivalent, denied, suspended or revoked in any other state, district or territory.” K.S.A. 2002 Supp. 40-4909(a).

4. K.S.A. 2002 Supp. 40-4906 and 4908 provide for issuance of a nonresident agent’s license in reliance upon the agent’s valid license in the agent’s home state.

5. The Commissioner may revoke any license issued under the Insurance Agents Licensing Act if the Commissioner finds that the insurable interests of the public are not properly served under such license. K.S.A. 2002 Supp. 40-4909(b).

Conclusions of Law

6. The Commissioner has jurisdiction over Steibler as well as the subject matter of this proceeding, and such proceeding is held in the public interest.

7. The Commissioner finds that Steibler’s has had an insurance agent’s license revoked in her home state of Pennsylvania.

8. The Commissioner finds that Steibler’s Kansas license may be revoked solely because Steibler has had an agent’s license revoked in another state.

9. The Commissioner finds, in addition, that Steibler’s Kansas license may be revoked because it is based on reciprocity, and Steibler’s license in her home state of Pennsylvania has been revoked.

10. Moreover, the Commissioner finds that Steibler’s Kansas license may be revoked because Steibler has improperly withheld, misappropriated or converted moneys or properties received in the course of doing insurance business.

11. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent’s license of Gina Marie Steibler pursuant to K.S.A. 2002 Supp. 40-4909(a).

12. In addition, the Commissioner finds that the insurance agent's license of Gina Marie Steibler should be revoked without delay for the protection of the insurable interests of the public pursuant to K.S.A. 2002 Supp. 40-4909(b).

13. Based on the facts and circumstances set forth herein, it appears that the use of summary proceedings in this matter is appropriate, in accordance with the provisions set forth in K.S.A. 77-537(a), in that the use of summary proceedings 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 Gina Marie Steibler.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas resident insurance agent's license of Gina Marie Steibler is hereby REVOKED.

Notice and Opportunity for Hearing

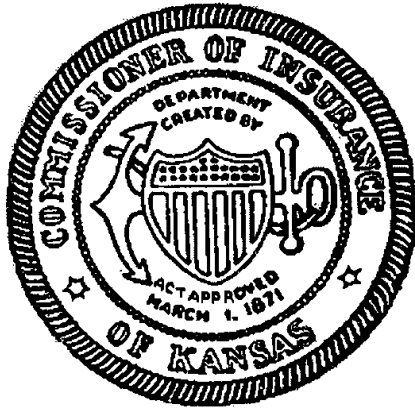
Gina Marie Steibler, within fifteen (15) days of service of this Summary Order, may file with the KID written request for a hearing on this Summary Order, as provided by K.S.A. 77-542. In the event a hearing is requested, such request should be directed to John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9th Street, Topeka, KS 66612.

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the agent who is the subject of the hearing as provided by K.S.A. 40-4909(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.

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-day period for requesting a hearing.

The Final Order will constitute final agency action in this matter.

IT IS SO ORDERED THIS 9th DAY OF JANUARY 2004, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



/s/ Sandy Praeger
Sandy Praeger
Commissioner of Insurance
BY:

/s/ John W. Campbell
John W. Campbell
General Counsel

NOTICE: In the event the Petitioner files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the KID is John W. Campbell, General Counsel, Kansas Insurance Department, 420 S.W. 9th St., Topeka, KS 66612-1678.

Certificate of Service

The undersigned hereby certifies that she served a true and correct copy of the above and foregoing **Summary Order** on this 9th day of January 2004, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Gina Marie Steibler
63 Tamaqua Street
Beaver Meadows, PA 18216

/s/ Brenda J. Clary
Brenda J. Clary