

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

FINAL ORDER

Effective: 01/25/06

In the Matter of the Kansas Nonresident)
Insurance Agent's License of)
LAURENCE W. KEMP) Docket No. 3512-SO

SUMMARY ORDER

(Pursuant to K.S.A. (2004 Supp.) 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. (2004 Supp.) 40-4909, the Commissioner hereby suspends the resident agent's license of Laurence W. Kemp ("Kemp") 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 Kemp is licensed as a resident agent to transact the business of insurance in the State of Kansas, and has been so licensed since October 31, 1988. KID records further indicate a legal and mailing address of 1018 N. Battin, Wichita, KS 67208.

2. KID's on-going criminal investigation of an insurance complaint submitted by American Family Life Assurance Company (AFLAC) indicates that Kemp may have committed multiple counts of serious statutory violations of Kansas insurance code involving the sales of AFLAC products to employees of the High Point Nursing and Rehabilitation Center in El Dorado, Kansas, on or about December 27, 2004.

Applicable Law

3. K.S.A. (2004 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 . . . (2) Violated: (A) Any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rule and regulation promulgated thereunder; . . . (8) Used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere, . . . (10) Forged another person’s name to an application for insurance or to any document related to an insurance transaction. . . .” K.S.A. (2004 Supp.) 40-4909(a).

4. The Commissioner may suspend 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. (2004 Supp.) 40-4909(b).

Conclusions of Law

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

6. The Commissioner finds that Kemp’s Kansas license may be suspended for 60 days from the finalization date of this order pending the completion of KID’s on-going criminal investigation in this matter.

7. Accordingly, the Commissioner concludes that sufficient grounds exist for the suspension of the insurance agent’s license of Laurence W. Kemp pursuant to K.S.A. (2004 Supp.) 40-4909(a), to protect the insurable interests of the public.

8. 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 Laurence W. Kemp.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas non-resident insurance agent's license of Laurence W. Kemp is hereby **SUSPENDED** for 60 days, effective immediately upon the finalization of this Summary Order.

Notice and Opportunity for Hearing

Laurence W. Kemp, 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/agency 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.

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.

IT IS SO ORDERED THIS 6th DAY OF JANUARY, 2006, 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

Certificate of Service

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 6th day of January, 2006, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Laurence W. Kemp
1018 N. Battin
Wichita, KS 67208

/s/ Hsingkan Chiang
Hsingkan Chiang, Staff Attorney