

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

FINAL ORDER Effective: 03-19-07
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In the Matter of the Kansas Nonresident)
Insurance Agent’s License of)
MARY ELIZABETH BUSH) Docket No. 3621-SO

SUMMARY ORDER
(Pursuant to K.S.A. 2006 Supp. 40-4909 and K.S.A. 77-537)

Pursuant to authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 2006 Supp. 40-4909, the Commissioner hereby revokes the nonresident agent’s license of Respondent Mary Elizabeth Bush 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 Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since February 10, 2004. KID records further indicate a legal and mailing address of 141 Willow Drive , Hartland, Wisconsin, 53029
2. By order dated December 27, 2006 and effective December 22, 2006, Respondent’s Wisconsin insurance producer’s license was revoked due to failure to pay tax.

Applicable Law

3. K.S.A. 2006 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 Annotates, and amendments thereto, or any rule and regulation promulgated thereunder . . . [or](9) Had an insurance agent license, or its equivalent, denied, suspended or revoked in any other state, district or territory. . . .” K.S.A. 2006 Supp. 40-4909(a)

4. K.S.A. 2006 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. 2006 Supp. 40-4909(b).

Conclusions of Law

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

7. The Commissioner concludes that Respondent's Kansas license may be revoked solely because Respondent has had an agent's license or its equivalent revoked in another state.

8. The Commissioner concludes, in addition, that Respondent's Kansas license may be revoked because it is based on reciprocity, and Respondent's license in her home state of Wisconsin has been revoked.

9. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent's license of Mary Elizabeth Bush pursuant to K.S.A. 2006 Supp. 40-4909(a).

10. In addition, the Commissioner finds that the insurance agent's license of Mary Elizabeth Bush should be revoked without delay for the protection of the insurable interests of the public pursuant to K.S.A. 2006 Supp. 40-4909(b).

11. 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 Mary Elizabeth Bush

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas nonresident insurance agent's license of Mary Elizabeth Bush is hereby **REVOKED**, effective the effective date of this order.

IT IS FURTHER ORDERED that the respondent mary Elizabeth Bush shall CEASE and DESIST from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this order.

Notice of Right to Hearing or Appeal

You are entitled to a hearing pursuant to K.S.A. § 77-537, the Kansas Administrative Procedure Act. If you desire a hearing, you must file a written request for a hearing with:

John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

This request must be filed within fifteen (15) days from the date of service of this Order. If you request a hearing, the Kansas Insurance Department will notify you of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of same.

If a hearing is not requested in the time and manner stated above, this Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. § 77-613. In the event that you file a petition for judicial review, pursuant to K.S.A. § 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel
Kansas Insurance Department
420 S.W. 9th Street
Topeka, Kansas 66612.

**IT IS SO ORDERED THIS 28th DAY OF FEBRUARY, 2007, 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 she served a true and correct copy of the above and foregoing **Notice** and **Summary Order** on this 28th day of February 2007, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Mary Elizabeth Bush
141 Willow Drive
Hartland, WI 53029

Ralph J. DeZago
Ralph J. De Zago