

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

FINAL ORDER

Effective: 07-24-07

In the Matter of Kansas Nonresident)
Insurance Agent's License of)
SCOTT W. LONG)

Docket No. 3684-SO

SUMMARY ORDER

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

Pursuant to the 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 SCOTT W. LONG ("Respondent") 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 Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed 10/06/05. KID Records further indicate a legal and mailing address of 200 E. Keller Street #12, Lockhaven, PA 17745.
2. The National Association of Insurance Commissioners ("NAIC") Regulatory Information Retrieval System ("RIRS") database reflects the following information:
 - a. Respondent's Pennsylvania insurance agent's license was revoked effective January 19, 2007 due to a demonstrated lack of fitness or trustworthiness.

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Applicable Law

K.S.A. 2006 Supp. 40-4909(a) provides, in relevant part:

- (a) “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 or
 - (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 suspend, revoke or refuse renewal of 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.

K.S.A. 2006 Supp. 40-4906 and K.S.A. 2006 Supp. 40-4908 provide for issuance of a nonresident insurance agent’s license in reliance upon the agent’s valid license in the agent’s home state.

Conclusions of Law

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

- 3. The Commissioner concludes that Respondent’s Kansas nonresident insurance agent’s license may be revoked solely because Respondent has had an agent’s license or its equivalent revoked in another state.
- 4. The Commissioner concludes, in addition, that Respondent’s Kansas license may be revoked because the license is based on reciprocity, and Respondent’s license in his home state of Pennsylvania has been revoked.

5. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of nonresident insurance agent's license of Respondent pursuant to K.S.A. 2006 Supp. 40-4909(a).
6. The Commissioner finds that the nonresident insurance agent's license of Respondent 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).
7. Based on the facts and circumstances set forth herein, it appears the use of summary proceedings in this matter are 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 Kansas Insurance Department to give notice and opportunity to participate to persons other than SCOTT W. LONG.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT the Kansas nonresident insurance agent's license of SCOTT W. LONG is hereby **REVOKED** effective the effective date of this Order.

IT IS FURTHER ORDERED that SCOTT W. LONG 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 RIGHTS

SCOTT W. LONG (“Long”) is entitled to a hearing pursuant to K.S.A. 77-537, the Kansas Administrative Procedure Act. If Long desires a hearing, he 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 Long requests a hearing, the Kansas Insurance Department will notify him of the time and place of the hearing and information on procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of the 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 Long files 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 5th DAY OF JULY, 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

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Certificate of Service

The undersigned hereby certifies that a true and correct copy of the above and foregoing Summary Order and Notice of Rights was served by placing the same in the United States Mail, first class postage prepaid, on this __5th__ day of _____July_____, 2007, addressed to the following:

Scott W. Long
200 E. Keller St. #12
Lockhaven, PA 17745

/s/ Zachary J.C. Anshutz_____
Zachary J.C. Anshutz
Staff Attorney