

**FINAL ORDER**

**Effective: 11/27/07**

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

In the Matter of the Kansas )  
Resident Insurance Agent’s License of ) Docket No. 3744-SO  
DANIEL K. SLINKARD )

**SUMMARY ORDER**

(Pursuant to K.S.A. 2005 Supp. 40-4909 and K.S.A. 77-501)

Pursuant to the authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. 40-4909, the Commissioner hereby revokes the resident agent’s license of Respondent, Daniel K. Slinkard (“Mr. Slinkard”). This Summary Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for hearing is made, pursuant to K.S.A. 77-542.

**Findings of Fact**

The Commissioner finds the following facts:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate Daniel K. Slinkard is licensed as a resident agent to transact the business of insurance in Kansas, and has been so licensed since February 14, 2001.
2. KID records indicate a legal and mailing address of 6782 Widmer, Shawnee, Kansas 66216.
3. The National Association of Insurance Commissioners (“NAIC”) Regulatory Information Retrieval System (“RIRS”) database reflects the following actions: State of Missouri Department of Insurance revoked the Respondent’s license, effective August 3, 2007, for marketing & sales, demonstrated lack of fitness or trustworthiness.

4. On August 3, 2007 Respondent entered into a Consent Order with the State of Missouri, Department of Insurance wherein he agreed that he violated Sections 374.046 and 375.141, RSMo (Supp. 2006) and Section 621.045, RSMo (2000), whereby Respondent's Missouri license was revoked.

#### **Applicable Law**

5. K.S.A. 40-4909 states, in pertinent 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;
      - (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 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.

#### **Conclusions of Law**

6. The Commissioner has jurisdiction over Mr. Slinkard as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
7. The Commissioner finds that Mr. Slinkard's Kansas license may be revoked because Mr. Slinkard violated an insurance law or regulation in another state pursuant to K.S.A. 40-4909(a)(2)(C).

8. The Commissioner finds that Mr. Slinkard's Kansas license may be revoked because Mr. Slinkard's Missouri license was revoked, pursuant to K.S.A. 40-4909(a)(9).
9. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Mr. Slinkard's license.
10. Accordingly, the Commissioner concludes sufficient grounds exist for the revocation of the insurance agent's license of Daniel K. Slinkard pursuant to K.S.A. 40-4909(a) and (b).

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:**

1. The Kansas Nonresident Insurance Agent's License of DANIEL K. SLINKARD is hereby **REVOKED** effective the effective date of this Order.

2. **IT IS FURTHER ORDERED** that DANIEL K. SLINKARD 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 AND OPPORTUNITY FOR HEARING**

Daniel K. Slinkard, within fifteen (15) days of service of this Summary Order, may file with the Kansas Insurance Department a written request for 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. 9<sup>th</sup> Street  
Topeka, Kansas 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 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 (15) day period for requesting a hearing. The Final Order will constitute final agency action in the 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 Kansas Insurance Department is:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> St.  
Topeka, Kansas 66612

**IT IS SO ORDERED THIS \_\_31st\_\_ DAY OF OCTOBER, 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 the above and foregoing Summary Order on this \_\_31st\_\_ day of \_\_October, 2007, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Daniel K. Slinkard  
6782 Widmer  
Shawnee, KS 66216

\_\_\_\_\_/s/ Stacy R. Bond\_\_\_\_\_  
Stacy R. Bond  
Staff Attorney