

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

In the Matter of the Kansas)
Nonresident Insurance Agent's License of) Docket No. 3801-SO
SALLY J. BEYER)
NPN: #3187138)

SUMMARY ORDER

(Pursuant to K.S.A. 2007 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 nonresident agent's license of Respondent, Sally J. Beyer ("Ms. Beyer"). 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 Sally J. Beyer is licensed as a nonresident agent to transact the business of insurance in Kansas, and has been so licensed since September 13, 2002.
2. KID records indicate a legal and mailing address of 10011 N. 51st Ct., Omaha, NE 68152.
3. Information Retrieval System ("RIRS") database reflects the following actions:
Respondent's home state of Tennessee revoked Respondent's license for demonstrated lack of fitness or trustworthiness/fiduciary violation/failure to remit premium to insurer/misappropriation of premium/miscalculated premium and charged unapproved fees, effective January 2, 2008.

4. To date, Respondent has failed to notify KID of the disciplinary actions taken by the State of Tennessee Department of Insurance on January 2, 2008.
5. On March 21, 2008 a letter was sent to the Respondent inquiring about the action taken by the State of Tennessee. Respondent has not responded to this letter.

Applicable Law

6. K.S.A. 2007 Supp. 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:
 - (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.
7. K.A.R. 40-7-9 states, in pertinent part: Each person licensed in this state as an insurance agent shall report the following to the commissioner of insurance within 30 days of occurrence:
 - (a) Each disciplinary action on the agent's license or licenses by the insurance regulatory agency of any other state or territory of the United States.
8. K.S.A. 2007 Supp. 40-4906 and K.S.A. 2007 Supp. 40-4908 provide for the issuance of a nonresident agent's license in reliance upon the agent's valid license in the agent's home state.

Conclusions of Law

9. The Commissioner has jurisdiction over Ms. Beyer as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
10. The Commissioner finds that Respondent's Kansas license may be revoked because Ms. Beyer has had a license revoked in another state pursuant to K.S.A. 40-4909(a)(9).

11. The Commissioner finds that Respondent's Kansas license may be revoked because Ms. Beyer no longer has a license in her home state pursuant to K.S.A. 2007 Supp. 40-4906 and K.S.A. 2007 Supp. 40-4908.
12. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the insurable interests of the public are not properly served under Respondent's license.
13. Accordingly, the Commissioner concludes sufficient grounds exist for the revocation of the insurance agent's license of Sally J. Beyer 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 SALLY J. BEYER is hereby **REVOKED** effective the effective date of this Order.
2. **IT IS FURTHER ORDERED** that SALLY J. BEYER 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

Sally J. Beyer, 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. 9th 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. 9th St.
Topeka, Kansas 66612

**IT IS SO ORDERED THIS 23rd DAY OF APRIL, 2008, 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 23rd day of April, 2008, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Sally J. Beyer
10011 N. 51st Ct.
Omaha, NE 68152

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

In the Matter of the Kansas
Nonresident Agent's Insurance License of
SALLY J. BEYER