

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

In the Matter of the Kansas Resident)	
Insurance Agent's License of)	Docket No. 70617
ANDRE D. KING)	
NPN: # 16998567)	

SUMMARY ORDER
(Pursuant to K.S.A. 40-4909, 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 agent's license of Respondent, **ANDRE D. KING** ("Respondent"). 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. Respondent was licensed as a Kansas resident insurance agent on July 2, 2013 and remains licensed to date.
2. Respondent's legal (residential) address of record is 4411 Booth St., Kansas City, KS 66103-3418.
3. On April 26, 2017, the Kansas Insurance Department ("KID") received notice from State Farm Mutual Auto Insurance Company ("State Farm") alleging that Respondent filed fraudulent claims related to an accident that occurred on May 11, 2016.
4. The accident, which occurred on May 11, 2016, was one where one vehicle rear-ended another, which caused that vehicle to rear-end Respondent's car. At the time, Respondent gave his information to the other drivers and indicated he had no damage to his vehicle and left the scene.
5. On December 27, 2016, seven months after the accident, Respondent filed a bodily injury claim with State Farm. Respondent claimed injuries to his neck, shoulders, and back. Respondent attempted to settle with State Farm on multiple occasions for amounts ranging from \$10,000 to \$78,496.96.
6. As evidence of treatment for his alleged injuries and as support for his bodily injury claim, Respondent provided invoices from separate clinics for a total of \$25,522 in bills. KID investigators reviewed the invoices and verified with the separate clinics that the invoices were forged and that Respondent had not sought treatment with them.
7. KID investigators contacted Respondent in order to obtain a statement. Respondent agreed to provide a telephonic recorded statement with KID investigators and then failed to answer when called.

Applicable Law

- Pursuant to K.S.A. 40-4909(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;
 - (10) Forged another person's name to an application for insurance or to any document related to an insurance transaction." K.S.A. 40-4909(a)
- Pursuant to K.S.A. 40-2,118(a), a "fraudulent insurance act" means an act committed by any person who, knowingly and with intent to defraud, presents, causes to be presented or prepares with knowledge or belief that it will be presented to or by an insurer, purported insurer, broker or any agent thereof, any written, electronic, electronic impulse, facsimile, magnetic, oral, or telephonic communication or statement as part of, or in support of, an application for the issuance of, or the rating of an insurance policy for personal or commercial insurance, or a claim for payment or other benefit pursuant to an insurance policy for commercial or personal insurance which such person knows to contain materially false information concerning any fact material thereto; or conceals, for the purpose of misleading, information concerning any fact material thereto. K.S.A. 40-2,118(a)

Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated fraudulent conduct or that he or she has forged another person's name to an application for insurance or to any document related to an insurance transaction be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **ANDRE D. KING** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. The Commissioner finds that Respondent's Kansas license may be revoked because **ANDRE D. KING** violated K.S.A. 40-2,118(a) by committing a fraudulent act.
3. The Commissioner finds that Respondent's Kansas license may be revoked because **ANDRE D. KING** has forged another person's name to any document related to an insurance transaction.
4. The Commissioner finds, pursuant to K.S.A. 40-4909(b), that the interests of the public are not properly served under Respondent's license.
5. Accordingly, the Commissioner concludes that sufficient grounds exist for the revocation of the insurance agent's license of **ANDRE D. KING**, pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

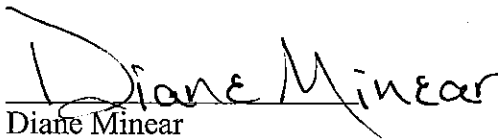
1. The Kansas nonresident Insurance Agent's License of **ANDRE D. KING** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **ANDRE D. KING** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance conducted after the effective date of this Order.

IT IS SO ORDERED THIS 5 DAY OF December, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

BY:


Diane Minear
General Counsel

NOTICE AND OPPORTUNITY FOR HEARING

ANDRE D. KING, 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:

Diane Minear, 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 Respondent 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:

Diane Minear, General Counsel
Kansas Insurance Department
420 S.W. 9th St.
Topeka, Kansas 66612

CERTIFICATE OF SERVICE

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 5 day of December, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Andre D. King
4411 Booth St.
Kansas City, KS 66103-3418



Steven Lehwald
Staff Attorney