

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

In the Matter of the Kansas Nonresident)
Insurance Agent’s License of)
BRIA NECOLE HEINZMAN)
NPN: # 17681300)

Docket No. 5115-SO

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, **BRIA NECOLE HEINZMAN** (“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 is licensed as a Kansas resident insurance agent on September 2, 2015, and remain licensed to date.
2. Respondent’s legal (residential) address of record is 2637 W. Wilson, Wichita, KS 67204
3. On July 20, 2017, the Kansas Insurance Department (“KID”) anti-fraud division received a notice from a representative of AFLAC that they suspected the Respondent was committing fraud.
4. AFLAC’s report said the Respondent established an Aflac account for a business (Loffers ETC) with the Respondent as the POC (point of contact) and sharing the same address. The account for Loffers ETC was established on 12/28/2016 and lapsed on 04/03/2017. Loffers ETC could not be verified as a business through an internet search.
5. The account also had an employee sharing the same last name as the Respondent (Travis Heinzman), who is a possible family member.
6. AFLAC believed there was also a pattern of overselling on the account and the policies shared the same address as the Respondent. Due to these red flags from the review, this information was forwarded to AFLAC’s special investigative unit for a complete investigation.
7. AFLAC’s investigator conducted a Kansas business entity search as well as a registered agent search for Loffers ETC and/or Bri Loffer and/or Bria Necole Loffer/Heinzman and did not find a business in the database search. A search by the name of the business in Wichita, Kansas produced no results as well. The listed business address of 11302 W Jewell Street in Wichita, Kansas identified this to be a residential address and no business listing could be located at this address.
8. During the investigation, Travis Heinzman was contacted and he stated he never signed the policies listed in his name. Travis Heinzman also advised Loffers Etc. was a fake business and that Loffer was last name of Bria’s ex-husband.

9. AFLAC's investigator attempted to contact Erica Carter by phone and left a voice mail message however, she received no response. The investigator was unable to contact Christopher Bramhall or Crystal Gannon because their phone numbers were not listed on their application.
10. According to the Report of Investigation document, AFLAC terminated the Respondent's appointment for cause on June 30, 2017.

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:
 - (8) Used any fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere... [and/or]
 - (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)

Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated fraudulent or dishonest conduct in the course of doing business be revoked.
2. It is in the public interest that the license of an agent who 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 **BRIA NECOLE HEINZMAN** 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 **BRIA NECOLE HEINZMAN** used fraudulent conduct in the course of doing business.
3. The Commissioner finds that Respondent's Kansas license may be revoked because **BRIA NECOLE HEINZMAN** has forged another person's name to an application for insurance or 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 **BRIA NECOLE HEINZMAN**, pursuant to K.S.A. 40-4909(a) and (b).

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

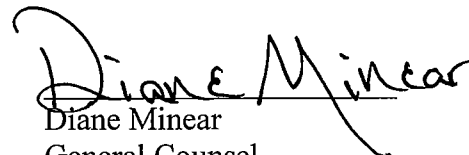
1. The Kansas nonresident Insurance Agent's License of **BRIA NECOLE HEINZMAN** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **BRIA NECOLE HEINZMAN** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation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

IT IS SO ORDERED THIS 27th DAY OF September, 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

BRIA NECOLE HEINZMAN, 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 27 day of September, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Bria Necole Heinzman
2637 W. Wilson Dr.
Wichita, KS 67204



Toni Garrard
Administrative Assistant