

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

In the Matter of the Kansas )  
Insurance Agent's License of ) Docket No. 4967-SO  
**STEPHANIE W. KEMP** )  
NPN: # 7109057 )

**SUMMARY ORDER**

(Pursuant to K.S.A. 2007 Supp. 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, **STEPHANIE W. KEMP** ("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. Records maintained by the Kansas Insurance Department ("KID") indicate that Respondent is licensed as a resident agent to transact the business of insurance in the State of Kansas, and has been so licensed since September 11, 2007.
2. KID records further indicate that the mailing address of Ms. Stephanie W. Kemp is 1403 W Gambels Ct, Andover, Kansas 67002-7524.
3. On September 22, 2016, Park City Kansas Police Department Detective Dwight Wilkes referred Park City Police Department case #16P1558 to KID.
4. The referral and accompanying documents showed that [REDACTED] received a bill in the amount of \$165.00 for a life insurance policy on her one year old daughter, [REDACTED]. [REDACTED] advised she never opened such an insurance policy. Records show that Respondent forged [REDACTED]'s signature on the application for the policy, without [REDACTED]'s knowledge or authorization. Additional forgeries may have occurred on policies created by Respondent for other individuals.
5. The records showed text messages between [REDACTED] and Respondent. [REDACTED] sent a text message to Respondent showing the bill and saying she never signed up for this. Respondent texted [REDACTED] back and admitted to getting the policy for [REDACTED] without [REDACTED] knowledge.
6. Records show Respondent also left a voice message for [REDACTED]. Respondent explained to [REDACTED] that her reason for purchasing the policy for [REDACTED] was to gain points with her company.

7. Records indicate Respondent paid the premium for [REDACTED]'s policy and manipulated the mailing address so that correspondence would be sent to her own residence as opposed to [REDACTED].
8. American Family Insurance conducted an internal investigation and found Respondent did the same thing with other applications and policies.
9. As a result of its investigation, American Family Insurance terminated Respondent's employment on November 2, 2016.

#### Applicable Law

- 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:
    - (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.
    - (10) Forged another person's name to an application for insurance or to any document related to an insurance transaction.

#### Policy Reasons

1. It is in the public interest that the license of an agent who has demonstrated he or she has used any fraudulent or dishonest practice or demonstrated any untrustworthiness in the conduct of business in this state or elsewhere 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 **STEPHANIE W. KEMP** 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 **STEPHANIE W. KEMP** has used a fraudulent and dishonest act and has demonstrated untrustworthiness in the conduct of business in this state.

3. The Commissioner finds that Respondent's Kansas license may be revoked because **STEPHANIE W. KEMP** 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 **STEPHANIE W. KEMP**, pursuant to K.S.A. 40-4909(a) and (b).

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

1. The Kansas resident Insurance Agent's License of **STEPHANIE W. KEMP** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **STEPHANIE W. KEMP** 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**

**STEPHANIE W. KEMP**, 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. 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 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. 9<sup>th</sup> St.  
Topeka, Kansas 66612

IT IS SO ORDERED THIS 9 DAY OF January, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA  
Commissioner of Insurance

BY:

John Wine  
Assistant Commissioner

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 9<sup>th</sup> day of January, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Stephanie W. Kemp  
1403 W. Gambels Ct  
Andover, Kansas 67002-7524

Edward L. Keeley  
McDonald, Tinker, Skaer, Quinn & Herrington, P.A.  
300 W. Douglas Ave., STE 500  
P.O. Box 207  
Wichita, Kansas 67201-0207

Steven M. Lehwald  
Staff Attorney