

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

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| In the Matter of the Kansas Nonresident |) | |
| Insurance Agent's License of |) | Docket No. 5114-SO |
| VANEISSA L. BESHEARS |) | |
| NPN: # 18138550 |) | |

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, **VANEISSA L. BESHEARS** ("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 nonresident insurance agent on October 5, 1996, and remains licensed to date.
2. Respondent's legal (residential) address of record is 6712 N Walrond Ave., Gladstone, MO 64119.
3. On May 22, 2017, the Kansas Insurance Department ("KID") received a notice from a representative of AETNA that Respondent was terminated for cause.
4. AETNA's investigation found that Respondent was writing Medicare policies to the following deceased family members as if they were live individuals living in Missouri:
 - a. Virgil L. Beshears, DOB: 12/6/1941. A record check showed that Virgil passed away on January 22, 2011.
 - b. Virginia L. Bechtold, DOB: 06/17/1920. A record check showed that Virginia passed away on December 4, 2012.
 - c. Marjorie E. Beshears, DOB: 05/21/1944. A record check showed that Marjorie passed away on June 13, 2013.
5. In an email dated March 9, 2017, Kirk Anderson with Midwest Marketing Associates indicated that Respondent admitted to enrolling the deceased relatives.
6. KID sent a letter to Respondent on August 31, 2017 detailing the allegations and asking for a response.
7. KID has not received a response to date.

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.
- (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 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 **VANEISSA L. BESHEARS** 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 **VANEISSA L. BESHEARS** used fraudulent conduct in the course of doing business.
3. The Commissioner finds that Respondent’s Kansas license may be revoked because **VANEISSA L. BESHEARS** 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 **VANEISSA L. BESHEARS**, 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 **VANEISSA L. BESHEARS** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **VANEISSA L. BESHEARS** 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 22nd DAY OF September, 2017, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



Ken Selzer, CPA
Commissioner of Insurance

BY:

Clark Shultz
Assistant Commissioner

NOTICE AND OPPORTUNITY FOR HEARING

VANEISSA L. BESHEARS, 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 20th day of September, 2017, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Vaneissa L. Beshears
6712 N Walrond Ave.
Gladstone, MO 64119



Toni Garrard
Administrative Assistant