

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

In the Matter of the Kansas Resident            )  
Insurance Agent's License of                    )  
**YADIRA L. COVARRUBIAS**                        )  
NPN: # 16733805                                 )

Docket No. 77443

**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, **YADIRA L. COVARRUBIAS** ("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 submitted an electronic application for a resident insurance agent license on August 8, 2012.
2. Question 15 of the application asks, "Are you a Citizen of the United States?"
3. Respondent marked, "Yes."
4. Additionally, Respondent provided a Social Security Number of [REDACTED].
5. Based on the information Respondent provided in the application, she was licensed as a Kansas insurance agent on August 9, 2012 and remains licensed to date.
6. An official with Immigrations and Customs Enforcement ("ICE") recently informed KID that Respondent is not currently a citizen of the United States.
7. The official confirmed that Respondent is a confirmed illegal alien, is currently unlawfully present in the United States, and that she has applied for a non-immigrant visa.
8. Additionally, ICE informed KID that the Social Security Administration, Office of Inspector General advised the Social Security Number that was provided on the application is not valid and has not been issued.
9. KID sent Respondent an inquiry letter on March 13, 2019 asking about the aforementioned information. In her response, Respondent:
  - a. advised she was not a United States citizen at the time, but had a valid visa; and
  - b. denied knowingly submitting misleading information. Respondent advised she received advice from her former employer that she only needed an ID and tax ID number to apply. She stated she studied for the exam, passed the test, and "they" took care of the rest.
10. KID staff followed up by asking who gave her the advice, who submitted the application, and who was in charge at her former employer.
11. Respondent did not directly respond to those questions.

### 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:
  - (1) Provided incorrect, misleading, incomplete or untrue information in the license application.
  - (3) Obtained or attempted to obtain a license under this act through misrepresentation or fraud.
  - (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.” K.S.A. 40-4909(a)

### Policy Reasons

1. An applicant is ultimately responsible for the information found in their license application.
2. It is in the public interest that the license of an agent who provided incorrect, misleading, or untrue information in the original license application be revoked.
3. It is in the public interest that the license of an agent who obtained their agent license through misrepresentation or fraud be revoked.

### Conclusions of Law

1. The Commissioner has jurisdiction over **YADIRA L. COVARRUBIAS** 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 **YADIRA L. COVARRUBIAS** provided incorrect, misleading, or untrue information in her original license application.
3. The Commissioner finds that Respondent’s Kansas license may be revoked because **YADIRA L. COVARRUBIAS** obtained her agent license through misrepresentation or fraud.
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 **YADIRA L. COVARRUBIAS**, pursuant to K.S.A. 40-4909(a) and (b).

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

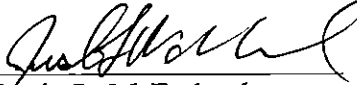
1. The Kansas resident Insurance Agent's License of **YADIRA L. COVARRUBIAS** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **YADIRA L. COVARRUBIAS** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance and/or receiving compensation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

**IT IS SO ORDERED THIS 20<sup>th</sup> DAY OF March, 2019, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



Vicki Schmidt  
Commissioner of Insurance

BY:

  
Justin L. McFarland  
General Counsel

**NOTICE AND OPPORTUNITY FOR HEARING**

**YADIRA L. COVARRUBIAS**, 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:

Justin L. McFarland, 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.

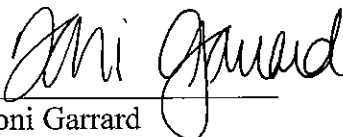
In the event the Respondent files a petition for judicial review, the agency officer designated pursuant to K.S.A. 77-613(e) to receive service of a petition for judicial review on behalf of the Kansas Insurance Department is:

Justin L. McFarland, General Counsel  
Kansas Insurance Department  
420 S.W. 9<sup>th</sup> St.  
Topeka, Kansas 66612

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that he served the above and foregoing Summary Order on this 20<sup>th</sup> day of March, 2019, by causing the same to be deposited in the United States Mail, first class postage prepaid, addressed to the following:

Yadira L. Covarrubias  
[REDACTED]  
Olathe, Kansas [REDACTED]

  
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Toni Garrard  
Senior Administrative Assistant