

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

In the Matter of the Kansas Nonresident)
Insurance Agent's License of)
SOPHIA L. MCGEE)
NPN: # 17921012)

Docket No. 78789

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 Kansas nonresident agent's license of Respondent, **SOPHIA L. MCGEE** ("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

1. Respondent was licensed as a Kansas nonresident insurance agent on May 1, 2018 and remains licensed to date.
2. State Farm Insurance Company ("State Farm") notified the Kansas Insurance Department that it terminated Respondent for cause effective December 17, 2018.
3. State Farm's investigation found that in 2018 Respondent pocketed premium cash deposits belonging to the agency she worked for and forged deposit slips to cover her tracks. Respondent's actions occurred in Missouri.

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:
 - (C) any insurance law or regulation of another state;
 - (4) Improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business

- (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)
- Pursuant to K.S.A. 40-4909(b), “The commissioner may suspend, revoke or refuse renewal of any license issued under this act if the commissioner finds that the interests of the insurer or the insurable interests of the public are not properly served under such license.” K.S.A. 40-4909(b)

Policy Reasons

1. It is in the public interest that the license of an agent who has misappropriated money received in the course of doing insurance business be revoked.
2. It is in the public interest that the license of an agent who used fraudulent or dishonest practices or demonstrated untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere be revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **SOPHIA L. MCGEE** 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 **SOPHIA L. MCGEE** misappropriated money received in the course of doing insurance business.
3. The Commissioner finds that Respondent’s Kansas license may be revoked because **SOPHIA L. MCGEE** used fraudulent or dishonest practices or demonstrated untrustworthiness or financial irresponsibility in the conduct of business in Missouri.
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 **SOPHIA L. MCGEE**, 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 **SOPHIA L. MCGEE** is hereby **REVOKED** the effective date of this Order.
2. **IT IS FURTHER ORDERED** that **SOPHIA L. MCGEE** 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 10th DAY OF June, 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

SOPHIA L. MCGEE, 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. 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:

Justin L. McFarland, 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 10 day of June, 2019, by causing the same to be deposited in the United States Mail, certified first class postage prepaid, addressed to the following:

Sophia L. McGee
[Redacted]
Kansas City, MO [Redacted]

Sophia L. McGee
[Redacted]
Kansas City, MO [Redacted]



Steven Lehwald
Staff Attorney