

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

**In the Matter of the Kansas  
Resident Insurance Producer's  
License of JASON WAYNE GANN  
NPN # 18009071**

)  
)  
)  
)

**Docket No. 86682**

**SUMMARY ORDER OF REVOCATION**

(Pursuant to K.S.A. 40-4909 and K.S.A. 77-501 *et seq.*)

Pursuant to the authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-4909 and K.S.A. 77-501 *et seq.*, the Commissioner hereby **REVOKES** the Kansas resident insurance producer's license of **JASON WAYNE GANN** ("Respondent"). This Summary Order of Revocation shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for a hearing is made.

**Findings of Fact**

1. Respondent was licensed as a Kansas resident insurance producer on July 15, 2016 and remains licensed to date.
2. Respondent's address of record is [REDACTED], Olathe, KS [REDACTED]
3. On September 16, 2020, the Kansas Insurance Department ("Department") received a notice from State Farm that Respondent had been terminated for cause.
4. Respondent admitted to State Farm he added drivers who were not exposures on vehicles during the auto quoting process and submitted multiple requests for consumer reports. Instant messages between Respondent and another State Farm employee show Respondent was engaged in adding drivers to the quote when the customer had not asked to have another driver added.

5. Respondent admitted to State Farm he used an alias and another employee to complete these quotes to obtain a better premium for the customer in six out of nine situations State Farm audited.

6. On February 4, 2019 and February 5, 2019, Respondent entered varied combinations with four other driver names while submitting an application for auto insurance for B.M. The names of other drivers were associated with older previous insurance policies. All submissions using false drivers were submitted under an alias, "[REDACTED]."

7. On March 12, 2019, Respondent instant messaged another employee, N.S., who messaged she was trying to do a quote for A.W. N.S. stated she wanted to use A.W.'s dad on the quoted policy and expressed to Respondent she was trying to use a different address to "see what I could do." Respondent messaged back N.S. to tell her to call him. At another instance, Respondent was communicating with N.S. about trying to get a quote done for unknown customer but "could not get her eligible." Respondent then said he would try to get the customer "eligible."

8. On April 22, 2019, Respondent asked N.S. if she had completed a quote for B.Y. N.S. said she did complete the quote but had to use a different address because N.S. did not want to personally be liable for premium payments if B.Y. failed to pay. Respondent approved of an employee's address being substituted to obtain a quote for B.Y.

9. On January 26, 2021, Respondent provided a response to the Department's inquiry. Respondent denies any wrongdoing and expresses conflicting views with State Farm's reasons for firing Respondent. Respondent hopes to return to the insurance industry.

#### **Applicable Law**

K.S.A. 40-4909(a)(5) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent has intentionally misrepresented the

provisions, terms and conditions of an actual or proposed insurance contract or application for insurance.

K.S.A. 40-4909(a)(8) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that Respondent has 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(b) provides:

The Commissioner may suspend, revoke or refuse renewal of an insurance producer's license upon finding that the interests of the insurer or the insurable interests of the public are not properly served under Respondent's license.

#### **Policy Reasons**

1. It is in the public interest that the license of a producer who has misrepresented the provisions, terms and conditions in an application for insurance be revoked.
2. It is in the public interest that the license of a producer who has used fraudulent, coercive or dishonest practice or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business be revoked.

#### **Conclusions of Law**

1. The Commissioner has jurisdiction over **JASON WAYNE GANN** as well as the subject matter of this proceeding, and such proceeding is held in the public interest.
2. Pursuant to K.S.A. 40-4909(a)(5), the Commissioner finds that Respondent's Kansas resident insurance producer's license may be revoked because **JASON WAYNE GANN** intentionally misrepresented the provisions, terms and conditions of an actual or proposed insurance contract or application for insurance.
3. Pursuant to K.S.A. 40-4909(a)(8), the Commissioner finds that Respondent's Kansas resident insurance producer's license may be revoked because **JASON WAYNE GANN**



used fraudulent, coercive, or dishonest practice, or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

4. Pursuant to K.S.A. 40-4909(b), the Commissioner finds that the insurable interests of the public are not properly served under the Kansas resident insurance producer's license of **JASON WAYNE GANN**.

5. Pursuant to K.S.A. 40-4909(a) and (b), the Commissioner concludes that sufficient grounds exist for revocation of the Kansas resident insurance producer's license of **JASON WAYNE GANN**.

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

1. The Kansas resident insurance producer's license of **JASON WAYNE GANN** is hereby **REVOKED** the effective date of this Order.

2. **IT IS FURTHER ORDERED** that **JASON WAYNE GANN** 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 3<sup>rd</sup> DAY OF DECEMBER 2021, 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**

**JASON WAYNE GANN**, within fifteen (15) days of service of this Summary Order, you 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:

Jill Spurling  
Kansas Insurance Department  
1300 SW Arrowhead Rd.  
Topeka, Kansas 66604

Any costs incurred as a result of conducting any administrative hearing shall be assessed against the producer/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 on 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  
1300 SW Arrowhead Rd.  
Topeka, Kansas 66604

Pursuant to K.S.A. 77-607 and 77-612, exhaustion of administrative remedies is a jurisdictional prerequisite to seeking judicial review.


**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that she served the above-and-foregoing Summary Order of Revocation on this 30 day of December 2021, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Jason Wayne Gann  
[REDACTED]

Olathe, KS [REDACTED]  
*Respondent*

And via email to:  
[REDACTED]

  
\_\_\_\_\_  
Sarah Cowan  
Legal Assistant