

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

**In the Matter of the Application for a )  
Kansas Resident Insurance Producer's )  
License of VERONICA ZANABRIGA )  
NPN #19943092 )**

**Docket No. 89327**

**ORDER OF DISMISSAL (DEFAULT ORDER)  
(Pursuant to K.S.A. 40-4909 and K.S.A. 77-520 et seq.)**

Pursuant to authority granted to the Commissioner of Insurance ("Commissioner") by K.S.A. 40-4909, the Commissioner proposes to find facts and affirm denial of the application of Veronica Zanabriga ("Applicant") for a Kansas resident insurance producer's license by Default Order as provided by K.S.A. 77-520.

**Findings of Fact**

1. Applicant submitted an application for Kansas resident insurance producer's license on June 25, 2021.
2. By letter dated July 27, 2021, Kansas Insurance Department ("Department") staff notified Applicant that the application was denied based on K.S.A. 40-4909(a)(6) and K.S.A. 40-4909(b).
3. Applicant filed a timely request for a hearing on August 11, 2021.
4. The Prehearing Conference was scheduled for September 28, 2021.
5. Applicant's Prehearing Questionnaire was due one week prior to the Prehearing Conference, September 21, 2021.
6. Applicant did not submit Prehearing Questionnaire by close of business on September 21, 2021.

7. On September 22, 2021, Jill Spurling, Legal Assistant to the Presiding Officer, contacted Applicant by e-mail and telephone and advised her the Prehearing Questionnaire must be submitted by the end of that day. Applicant stated that she understood and would submit the document.
8. Applicant did not submit the Prehearing Questionnaire.
9. On September 27, 2021, a Notice of Cancellation of Prehearing Conference was sent to Applicant by e-mail and United States Postal Service.
10. On October 25, 2021, the Presiding Officer issued an Order to Show Cause directing the Applicant to contact the Department within seven days of the date of the order to show cause why her failure to submit the required Prehearing Questionnaire should be excused. Applicant was further ordered to show cause as to why her request for a hearing to appeal the denial of the license application should not be dismissed due to Applicant's lack of prosecution.
11. The Order to Show Cause stated, "Failure to respond will result in the dismissal of Applicant's appeal and the Department's denial will be affirmed and this Order will become a Final Order."
12. To this date, Applicant has not contacted the Department as directed in the Order.

#### Applicable Law

1. Pursuant to K.S.A. 40-4909(c), "any action taken under this section which affects any license or imposes any administrative penalty shall be taken only after notice and an opportunity for hearing conducted in accordance with the provisions of the Kansas administrative procedures act."

2. Pursuant to K.S.A. 77-520(a), "if a party fails to attend or participate in a prehearing conference, hearing or other stage of an adjudicative proceeding, the presiding officer may serve upon all parties' written notice of a proposed default order, including a statement of the grounds."
3. Pursuant to K.S.A. 77-520(b), Applicant may file a written motion requesting that this proposed default order be vacated stating the grounds relied on within seven days after the service of this proposed default order.
4. Pursuant to K.S.A. 77-523(a), the Presiding Officer, the Assistant Commissioner of Insurance acting on behalf of the Commissioner of Insurance as the agency head as provided in K.S.A. 77-547, is empowered to render a Final Order

#### Conclusions of Facts and Law

1. Applicant timely requested a hearing to appeal the Department's denial of her license application.
2. Applicant was properly served the Notice of Prehearing Conference with an enclosed copy of the Prehearing Questionnaire. The Notice of Prehearing Conference notified her of her responsibility to submit the Prehearing Questionnaire prior to the scheduled Prehearing Conference.
3. Applicant failed to submit a Prehearing Questionnaire, a required component of the prehearing process, which is equivalent to failing to participate in a necessary stage of the adjudicative proceedings.
4. The Order to Show Cause issued by the Presiding Officer was properly served on the Applicant and advised the Applicant that failure to respond to would result in a dismissal

of her request for a hearing. The Order to Show Cause satisfied the requirements of a Proposed Default Order under K.S.A. 77-520(a).

5. The Presiding Officer finds, on behalf of the Commissioner, that the Applicant has failed to participate as required in the adjudicative process which she requested, and further failed to respond to the Order to Show Cause. The Presiding Officer further finds that the Applicant had adequate notice that failure to respond to the Order to Show Cause would result in a dismissal of her appeal.

**IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT** Applicant's hearing proceeding is **DISMISSED**, and the findings of fact, conclusions of law, and order contained above are adopted by reference and made the final order of the Commissioner. Furthermore, it is found that the application for a resident insurance producer's license of Veronica Zanabriga is hereby **DENIED** and constitutes a **FINAL ORDER**.

**IT IS SO ORDERED THIS 22nd DAY OF OCTOBER 2021, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



VICKI SCHMIDT  
COMMISSIONER OF INSURANCE

BY: *Barbara W. Rankin*  
Barbara W. Rankin  
Assistant Commissioner  
Presiding Officer

**NOTICE OF RIGHT TO JUDICIAL REVIEW**

Pursuant to K.S.A. 77-601 through K.S.A. 77-631, Applicant is entitled to judicial review, of this Order of Dismissal (Default Order). The petition for judicial review must be filed within thirty (30) days of service of the date the Proposed Default Order becomes a Final Order (plus three [3] days for service by mail pursuant to K.S.A. 77-531). In the event Applicant files a petition

for judicial review pursuant to K.S.A. 77-613(e), the Agency Officer to be served on behalf of the Kansas Insurance Department is:

Justin L. McFarland, General Counsel  
Kansas Insurance Department  
420 SW 9th Street  
Topeka, KS 66612

**CERTIFICATE OF SERVICE**

I hereby certify that I served a true and correct copy of the above-and foregoing Order of Dismissal (Default Order) upon Applicant by causing a copy of the same to be deposited in the United States mail, first class postage prepaid and electronically mailed, on the 23<sup>rd</sup> day of October 2021, addressed to the following:

Veronica Zanabriga

[REDACTED]

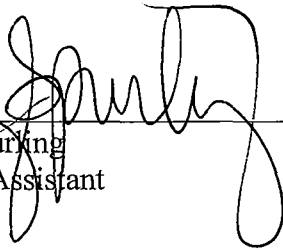
Dodge City, KS [REDACTED]

[REDACTED]

*Applicant*

and hand-delivered to the following:

Justin L. McFarland  
General Counsel  
Kansas Insurance Department  
1300 SW Arrowhead Rd  
Topeka, KS 66604  
*Counsel for the Kansas Insurance Department*

  
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Jill Spurling  
Legal Assistant