

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

**In the Matter of the Kansas Nonresident)
Insurance Producer’s License of)
DESTINY BEAULIEU) Docket No. 106055
NPN # 18944740)**

SUMMARY ORDER
REFUSAL TO RENEW AND 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 **REFUSES RENEWAL** and **REVOKES** the Kansas nonresident insurance producer’s license of **DESTINY BEAULIEU** (“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 a hearing is made.

Findings of Fact

1. Respondent was licensed as a Kansas nonresident insurance producer on February 11, 2019, and her license expires February 29, 2024.
2. Respondent’s address of record listed on her renewal application is [REDACTED]
[REDACTED] [REDACTED] [REDACTED]
3. Respondent initially submitted an application for a Kansas nonresident insurance producer license on February 11, 2019. She answered in the negative to all the questions resulting in her application was automatically approved through the system, including answering “No” to question 1a which asks: “Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor?”
4. At the time of Respondent’s application, she had pending misdemeanor charges in Illinois stemming from an incident occurring in December of 2017. A statement dated September

10, 2019, was uploaded to the NIPR Attachments Warehouse in November of 2019 explained that she was not aware of the charges at the time they were filed and subsequently missed the court date but she intended to go to Illinois and resolve the matter.

5. On November 20, 2023, Respondent submitted a Kansas nonresident insurance producer license renewal application (“Application”) to the Kansas Insurance Department (“Department”). On this application, she again answered “No” to Question 1a of the Background Questions on the Application which asks, “Have you been convicted of a misdemeanor, had a judgment withheld or deferred, or are you currently charged with committing a misdemeanor, which has not been previously reported to this insurance department?”

6. Respondent did not disclose on her initial application or her renewal application a misdemeanor for criminal damage to property and disorderly conduct. It appears Respondent has an active warrant for this misdemeanor. While the Respondent did not disclose the charge on either application, she did upload documentation regarding this charge to the NIPR Attachments Warehouse on November 4, 2019, and some documents regarding this arrest were uploaded as a “Reporting of Action” but described as “Administrative” in nature instead of as a criminal charge reporting. There is no evidence that this matter has been resolved as the most recent docket sheet available online shows a warrant remains out for the Respondent.

7. Respondent also answered “No” to background Question 2 of the application which asks, “Have you ever been named or involved as a party in an administrative proceeding, including FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration, which has not been previously reported to this insurance department?”

8. The administrative actions against the Respondent reflect violations of the insurance laws of other states. Specifically, the Respondent entered into a Consent Order with the

Pennsylvania Insurance Department on October 27, 2023, for violations of the Pennsylvania Insurance Code in that she provided incorrect, misleading, incomplete or false information to the Department in a license application for not responding to the Department's inquiry and providing the requested information. This action was reported through the NIPR Attachments Warehouse on November 28, 2023. On August 4, 2023, the Louisiana Department of Insurance notified the Respondent that they were suspending her license for failing to disclose a criminal matter on her initial or renewal application. This decision became a final administrative action on or about September 25, 2023. This action was reported through the NIPR Attachments Warehouse on November 27, 2023, which is outside the 30-day timeframe required by law. Both administrative actions should have been either uploaded to the NIPR Attachments Warehouse timely and **prior** to the renewal application being submitted or disclosed on the renewal application.

9. Due to the Respondent having a pending misdemeanor charge and providing incorrect, misleading, incomplete or untrue information to the Department in the license application process, and the Respondent's failure to report the administrative actions to the Department in a timely fashion, the Department believes that the insurable interests of the public are no longer served by the Respondent's license.

Applicable Law

K.S.A. 40-4909(a)(1) provides:

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 provided incorrect, misleading, incomplete or untrue information in the license application.

K.S.A. 40-4909(a)(2)(A) provides:

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 violated any provision of chapter 40 of the Kansas Statutes Annotated, and amendments thereto, or any rules and regulations promulgated thereunder.

K.S.A. 40-4905(f)(1)(A) provides:

Each person or entity licensed in this state as an insurance agent shall report the following to the commissioner within 30 calendar days of occurrence: Each disciplinary action on the agent's license or licenses by the insurance regulatory agency of any other state or territory of the United States.

K.S.A. 40-4909(b) provides:

The Commissioner may deny, 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.

Policy Reasons

1. It is in the public interest that the license of a producer who provides incorrect, misleading, incomplete or untrue information in the license application process be refused renewal and revoked.
2. It is in the public interest that the license of a producer who has a pending reportable misdemeanor charge be refused renewal and revoked.
3. It is in the public interest that the license of a producer who fails to timely report to the Department administrative actions be refused renewal and revoked.

Conclusions of Law

1. The Commissioner has jurisdiction over **DESTINY BEAULIEU** 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) and (b), the Commissioner finds that the insurable interests of the public are no longer properly served under the Kansas nonresident insurance producer's license of **DESTINY BEAULIEU**.
3. Pursuant to K.S.A. 40-4909(a) and (b), the Commissioner concludes that sufficient grounds exist for refusing to renew the renewal application for the Kansas nonresident insurance producer's license of **DESTINY BEAULIEU**.

4. Pursuant to K.S.A. 40-4909(a) and (b), the Commissioner concludes that sufficient grounds exist for revocation of the Kansas nonresident insurance producer's license of **DESTINY BEAULIEU**.

IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas nonresident insurance producer's license of **DESTINY BEAULIEU** is hereby **REFUSED RENEWAL** the effective date of this Order.

2. The Kansas nonresident insurance producer's license of **DESTINY BEAULIEU** is hereby **REVOKED** the effective date of this Order.

3. **IT IS FURTHER ORDERD** that **DESTINY BEAULIEU** shall **CEASE** and **DESIST** from the sale, solicitation or negotiation of insurance in Kansas and/or receiving compensation deriving from the sale, solicitation or negotiation of insurance in Kansas conducted after the effective date of this Order.

IT IS SO ORDERED THIS 22nd **DAY OF** March **2024, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



VICKI SCHMIDT
COMMISSIONER OF INSURANCE

BY: Kimberly Davenport Megraill
Kimberley Davenport Megraill
Senior Attorney

NOTICE AND OPPORTUNITY FOR HEARING

DESTINY BEAULIEU, within fifteen (15) days of service (plus 3 additional days for mailing) 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:

Mindy Forrer
Kansas Insurance Department
1300 SW Arrowhead Rd.
Topeka, Kansas 66604

Or via email to: mindy.forrer@ks.gov

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 (plus 3 additional days for mailing) 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 with the District Court, 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 Refusal to renew and Revocation on this 22nd day of March 2024, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Destiny Beaulieu

[REDACTED]

And via email to:

[REDACTED]



Sarah Cowan
Legal Assistant