# BEFORE THE COMMISSIONER OF INSURANCE OF THE STATE OF KANSAS

In the Matter of the Kansas Nonresident ) Insurance Producer's License of JACQUELYNN BOWIE NPN # 20338693

Docket No. 114391

# SUMMARY ORDER OF REVOCATION

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(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 nonresident insurance producer's license of JACQUELYNN BOWIE ("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 June 21, 2022, and expires February 28, 2027.

2. Respondent's address of record listed on her renewal application is , San Antonio, TX 78213.

3. On June 21, 2022, the Respondent submitted a Kansas nonresident insurance producer license application ("Initial Application") to the Kansas Department of Insurance ("Department"). On this initial application, the Respondent answered all background questions in the negative, including Background Question 1b which asks the following: "Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony?" Due to negative answers, the application automatically processed and the license was issued.

4. On January 10, 2025, Respondent submitted a Kansas nonresident insurance producer license renewal application ("First Renewal Application") to the Kansas Insurance Department ("Department"). Respondent answered "Yes" to Question 1b of the Background Questions on the Application which asks, "Have you been convicted of a felony, had a judgment withheld or deferred, or are you currently charged with committing a felony, which has not been previously reported to this insurance department?" The Respondent failed to upload any documentation with the renewal application regarding the affirmative answer to one of the background questions. The first renewal application was deferred for additional review.

5. On January 13, 2025, the Department reached out to the Respondent requesting the following documentation providing specific instructions on how to properly submit the documents by uploading in the Attachment Warehouse: BQSD – Background Questions Supporting Documents: charging documents (these are often titled complaint, information or indictment); sentencing documents or final resolution documents, or if the charge is pending, a document showing the next court date or status; police report or probable cause affidavit; written statement prepared by the applicant explaining in detail the circumstances leading up to the charge, why the applicant was charged with the offense, and steps the applicant has taken to ensure future offense do not occur (this document must be uploaded); and evidence of rehabilitation, if applicable and available (including programs or treatment completed, social contributions to the community, etc.). The Respondent was also advised that failure to provide all requested documentation within 15 days will result in a denial or closure of the application.

6. On January 21, 2025, a second renewal application was submitted with all background questions answered in the negative. As such, the renewal was processed and the license renewed.

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7. On February 14, 2025, the Respondent uploaded plea and sentencing documents which contained a description of the charges as well as an officer report, a written statement regarding the matter, and a discharge from community supervision. The documentation uploaded was uploaded as "additional documents" instead of as instructed as a response to "background questions" in connection with this nonresident application.

8. Upon the Department's review of the documentation requested by the Department in connection with the first renewal application, it was determined that Respondent had been convicted of a felony in 2018. This felony conviction was required to have been reported on the Respondent's initial application in 2022. Specifically, the Respondent was convicted of a driving while intoxicated with a child less than fifteen years of age in the vehicle on or about September 6, 2018, in the 290<sup>th</sup> District Court, Bexar County, Texas, Cause Number

9. Considering the totality of the circumstances regarding the Respondent's providing incorrect, untrue and misleading information in the license application process by failing to disclose the felony conviction as required, failing to respond to the inquiry of the Department within 15 business days, obtaining or attempting to obtain a license through misrepresentation or fraud, and factors underlying the felony conviction and its circumstances indicate 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)(3):

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 obtained or attempted to obtain a license under this act through misrepresentation or fraud.

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K.S.A. 40-4909(a)(6) provides:

The Commissioner may deny, suspend, revoke or refuse renewal of an insurance producer's license upon finding that a license holder has been convicted of a misdemeanor or felony.

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 has provided incorrect,

misleading, incomplete or untrue information in the license application be revoked.

2. It is in the public interest that the license of a producer who obtains or attempts to

obtain an insurance producer license by misrepresentation or fraud be revoked.

3. It is in the public interest that the license of a producer who has been convicted of

a felony of this type and circumstance be revoked, as the conduct underlying these charges is of a

nature that the insurable interest of the public is no longer served by this license.

## Conclusions of Law

1. The Commissioner has jurisdiction over **JAQUELYNN BOWIE** 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 **JAQUELYNN BOWIE**.

3. 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 **JAQUELYNN BOWIE**.

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IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE THAT:

1. The Kansas nonresident insurance producer's license of JAQUELYNN BOWIE is hereby **REVOKED** the effective date of this Order.

2. **IT IS FURTHER ORDERED** that **JAQUELYNN BOWIE** 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 DAY OF <u>HPUL</u> 2025, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.



VICKI SCHMIDT COMMISSIONER OF INSURANCE

BY:

Kimberley Davenport Megrail Senior Attorney

## **NOTICE AND OPPORTUNITY FOR HEARING**

**JAQUELYNN BOWIE**, within fifteen (15) days of service (plus 3 additional days for service by mail) of this Summary Order, you shall file with the Kansas Department of Insurance 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 Department of Insurance 1300 SW Arrowhead Rd. Topeka, Kansas 66604 mindy.forrer@ks.gov

Or via email:

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(g). 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 (with an additional three (3) days for service by mail) 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 Department of Insurance is:

Steven A. Karrer, General Counsel Kansas Department of Insurance 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  $\underline{M}$  day of  $\underline{M}$  and  $\underline{M}$  2025, by causing the same to be deposited in the United States Mail, certified, addressed to the following:

Jacquelynn Bowie

San Antonio, TX 78213

And via email to: @gmail.com

Sarah Cowan Legal Assistant