

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

In the Matter of **William L. Sampson**

) **FINAL ORDER**

) Case No. INS 06-04-009

History of the Proceeding

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against William L. Sampson (Sampson).

On 4/17/06, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and that the party was entitled to a hearing, pursuant to ORS 183.415.

The director did not receive a request for a hearing. The director did not hold a hearing because the director determined that the record of the proceeding proved a *prima facie* case and no further evidence was needed.

The director now makes the following final decision in this proceeding.

Findings of Fact and Conclusions of Law

Licensing Information

Sampson has been licensed in Oregon as a resident individual insurance producer from 6/4/93 to 10/15/05. On 10/15/05, Sampson surrendered his license. Sampson's last recorded residence address is located in Gold Hill, Oregon.

Forged Person's Name on Application for Insurance or Related Document

Sampson is subject to enforcement action pursuant to ORS 744.074(1)(k) because of the following circumstances. ORS 744.074(1)(k) prohibits a person from forging another person's name to an application for insurance or to any document related to an insurance transaction. On or about 3/9/05, Sampson completed and received from Walter "Wally" Boyko and J. Meshelle Boyko (collectively referred to as Boyko), on behalf of Wally Boyko Productions, Inc. of White City, Oregon an application for membership in the National Association for the Self-Employed

(NASE) and an application for coverage under a group health insurance policy issued by Mega Life and Health Insurance Company (Mega) to NASE. A person must be a member of NASE in order to be insured under the policy issued by Mega. On the NASE membership application, there is a section, entitled Automatic Payment Authorization, for information about the applicant's checking account and for the applicant's signature if the applicant wants to pay their NASE membership fee by having it automatically deducted from their checking account. On 3/9/05, Boyko told Sampson that they did not want to pay their NASE membership fee by having it automatically deducted from their checking account, but instead wanted to write a check each time the fee was due. Boyko did not provide Sampson with the information about their checking account and they did not sign their names in the place for their signatures. Instead, Boyko gave Sampson a check for the initial fee. Boyko did not authorize Sampson to complete the Automatic Payment Authorization section including signing their names therein. Subsequently, Sampson completed the Automatic Payment Authorization section with the information about Boyko's checking account that he obtained from the checks that Boyko gave to Sampson, and signed both Walter and J. Meshelle Boyko's names therein. Sampson sent the applications to Mega and Mega issued the insurance coverage applied for. Boyko received from Mega copies of the applications and discovered that their names had been forged. Boyko cancelled the insurance coverage. Mega refunded to Boyko the entire NASE membership fee and insurance premium that they paid.

Order

Pursuant to ORS 744.074(1), Sampson's Oregon resident individual insurance producer license is revoked on the date of this order.

Notice of Right to Judicial Review

A party has the right to appeal this final order to the Oregon Court of Appeals pursuant to ORS 183.480 and 183.482. A party may institute a proceeding for judicial review by filing with the court a petition for judicial review within 60 days from the date this order was served on the party. If the order was personally

delivered to a party, then the date of service is the day the party received the order. If the order was mailed to a party, then the date of service is the day the order was mailed to the party, not the day the party received the order. If a party files a petition, the party is requested to also send a copy of the petition to the Insurance Division.

Dated May 22, 2006

/s/ Joel Ario
Joel Ario
Administrator
Insurance Division
Department of Consumer and Business Services

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