

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

In the Matter of **Darrell R. Sissom**) **FINAL ORDER**
) Case No. INS 08-05-010

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 Darrell R. Sissom (Sissom).

On 6/12/08, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and the party was entitled to a hearing pursuant to ORS 183.415. The notice of proposed action included a statement that if a hearing was not conducted then the designated portion of the Insurance Division's file in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The director did not receive from the party a request for a hearing and did not conduct a hearing.

The director finds that the record of this proceeding to date, including information in the designated portion of the Insurance Division's file and all materials submitted by the party if any, proves a *prima facie* case.

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

Findings of Fact and Conclusions of Law

Licensing Information

Sissom has been licensed in Oregon as a resident insurance producer since 3/7/05. Sissom's last recorded residence and business address is located in Happy Valley, Oregon.

Failed to Respond to Director's Inquiry

Sissom is subject to enforcement action pursuant to ORS 731.296 because of the following circumstances. ORS 744.074(1)(b) permits the director to take any

authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance producer if the person violated any insurance statute; or any rule, order, or subpoena, of the director or the insurance regulator of another state. ORS 731.296, an insurance statute, requires a person who is licensed in Oregon in any capacity under the Insurance Code to promptly and truthfully respond to an inquiry from the director. On 7/19/07, the Insurance Division received a complaint on behalf of Irene Long of Westport, Oregon that on or about 3/13/07 Sissom sold to Long a Medicare Advantage Plan issued by Pyramid Life Insurance Company which was detrimental to Long. On 10/26/07, the Insurance Division mailed to Sissom a letter requesting him to respond to the complaint. On 11/13/07, Sissom called the Insurance Division and asked if he could come to the Insurance Division office and pick up a copy of the complaint. Sissom did not pick up the copy of the complaint. The Insurance Division also mailed to Sissom a letter on 2/14/08 and again on 3/26/08 requesting him to appear at the Insurance Division office for an interview. Sissom did not appear or otherwise respond. Finally, on 4/24/08, the Insurance Division mailed by certified mail a letter to Sissom at his last recorded residence and business mailing address of 9701 SE Johnson Creek Boulevard Apartment N205, Happy Valley, OR 97086-3658. The letter requested Sissom to provide certain information about the complaint to the Insurance Division by 5/16/08. Sometime between 4/24/08 and 4/28/08, "C. Garland" received the letter. Sissom did not provide the information or otherwise respond.

Order

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

Notice of Right to Judicial Review

A party has the right to judicial review of this order pursuant to ORS 183.480 and ORS 183.482. A party may request judicial review by sending a petition for judicial review to the Oregon Court of Appeals. The court must receive the petition 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 date the party

received the order. If the order was mailed to a party, then the date of service is the date the order was mailed to the party, not the date 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 August 4, 2008

/s/ Scott J. Kipper
Scott J. Kipper
Administrator
Insurance Division
Department of Consumer and Business Services

//
//
//