

STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
DIVISION OF FINANCIAL REGULATION

In the Matter of:

Case No. INS-16-0313

KENNETH A. RICE,

Respondent.

FINAL ORDER TO CEASE AND
DESIST AND FINAL ORDER
REVOKING LICENSE, ENTERED BY
DEFAULT

On August 11, 2016, the Director of the Department of Consumer and Business Services (“Director”), by and through the Division of Financial Regulation (“Division”), properly served Notice on Kenneth A. Rice (“Respondent”) that the Director intended to revoke Respondent’s Oregon nonresident insurance producer license (“License”).

The Notice offered Respondent an opportunity for a hearing, if requested within 30 days. The Notice further informed Respondent that if a hearing was not conducted because Respondent did not timely request a hearing or otherwise defaulted, then the designated portion of the Director’s file and all materials submitted by Respondent 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 Respondent a request for a hearing and did not conduct a hearing.

The Director finds that the record of this proceeding proves a *prima facie* case.

The Director makes the following Findings of Fact, Conclusions of Law, Orders, and Notice of Right to Judicial Appeal.

FINDINGS OF FACT

The Director FINDS that:

1. Respondent has been licensed as an Oregon nonresident insurance producer

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350 Winter Street NE, Suite 410
Salem, OR 97301-3881
Telephone: (503) 378-4387



1 since July 23, 2012. Respondent's License is scheduled to expire on November 30, 2016.
2 His NAIC national producer number is 16646705.

3 2. On February 27, 2015, the State of Kansas, Docket No. 4731--SO, revoked
4 Respondent's nonresident insurance producer license for using fraudulent or dishonest
5 practices or demonstrated incompetence in the conduct of business.

6 3. On March 31, 2015, the State of Kentucky, File No. 2015-0042, revoked
7 Respondent's nonresident insurance producer license for using fraudulent or dishonest
8 practices or demonstrated incompetence in the conduct of business.

9 4. Effective April 15, 2015, the State of Minnesota, E-Case No. 1213, revoked
10 Respondent's nonresident insurance producer license for using fraudulent or dishonest
11 practices or demonstrated incompetence in the conduct of business.

12 5. On July 22, 2015, the State of Washington, Case No. 15-0163, revoked
13 Respondent's nonresident insurance producer license for failing to respond and failure to
14 report an administrative action.

15 6. On November 13, 2015, the State of Delaware, Docket No. 2836-2015,
16 revoked Respondent's nonresident insurance producer license for failure to report other
17 states action.

18 7. On November 23, 2015, the State of Ohio revoked Respondent's resident
19 insurance producer license for failure to respond and failure to report other states action.

20 8. Respondent failed to provide notice of the administrative actions listed above
21 to the Director within 30 days.

22 CONCLUSIONS OF LAW

23 The Director CONCLUDES that:

24 9. Under Oregon Revised Statutes ("ORS") 744.089(1), an insurance producer
25 shall report to the Director any administrative action taken against the insurance producer
26 in another jurisdiction or by another governmental agency in this state not later than the



1 30th day after the date of the final disposition of the matter.

2 10. Under ORS 744.074(1)(b), the Director may revoke an insurance producer
3 license for violating any insurance laws, or violating any rule, subpoena or order of the
4 director or of the insurance commissioner of another state. The Director may revoke
5 Respondent’s License because Respondent failed to report administrative actions taken
6 against him in other states.

7 11. Under ORS 744.074(1)(i), the Director may revoke an insurance producer
8 license for the cancellation, revocation, suspension or refusal to renew by any state. The
9 record of the cancellation, revocation, suspension or refusal to renew shall be conclusive
10 evidence of the action taken.

11 ORDER

12 Now therefore, the Director issues the following Orders:

13 12. As authorized by ORS 731.252(1), the Director ORDERS Respondent to
14 CEASE AND DESIST from violating any provision of the Insurance Code or the
15 administrative rules promulgated thereunder.

16 13. The Director, pursuant to ORS 744.074(1)(b) and 744.074(1)(i), hereby
17 REVOKES Respondent’s Oregon nonresident insurance producer license.

18
19 SO ORDERED this 14th day of September, 2016 in Salem,
20 Oregon.

21 PATRICK M. ALLEN, Director
22 Department of Consumer and Business Services

23
24 /s/ T.K. Keen Deputy Administrator for David Tatman
25 David C. Tatman, Chief of Enforcement
26 Division of Financial Regulation

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NOTICE OF RIGHT TO JUDICIAL APPEAL

You are entitled to judicial review of this order in accordance with ORS 183.482.
You may request judicial review by filing a petition with the Court of Appeals in Salem,
Oregon, within 60 days from the date this order is served.

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