STATE OF MISSOURI
DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN THE MATTER OF:	)		
	)		
Sharon Ragsdale,	)	Case No.	090417489C
	)		
Applicant.	)		
	)		
Serve at:	)		
	)		
1775 Wyoming Ct.	)		
Nixa, Missouri 65714	)		
	)		

REFUSAL TO ISSUE INSURANCE PRODUCER LICENSE

On June 15, 2009, Elfin L. Noce, as Legal Counsel for the Division of Consumer Affairs, submitted a Petition to the Director alleging cause for refusing to issue the insurance producer license application of Sharon Ragsdale ("Ragsdale"). After reviewing the Petition, and the investigative report, the Director issues the following findings of fact, conclusions of law and summary order:

FINDINGS OF FACT

1. Sharon Ragsdale ("Ragsdale") is a Missouri resident with an address of 1775 Wyoming Ct., Nixa, Missouri 65714.

2. Ragsdale was originally licensed by the Department of Insurance, Financial Institutions & Professional Registration ("Department") on December 26, 1997, license number 0141433, and such license was subsequently renewed until Ragsdale surrendered that license on March 19, 2007, due to allegations raised from a complaint made by Tina Scott.

3. Tina Scott is a Missouri resident and has purchased insurance from Combined Insurance Company of America since 1999. She has two children, Rachel Christine Scott and Crystal Dawn Woody, and an ex-husband, Lauren Dennis Woody.

4. On May 5, 2006, Ragsdale, without authorization from Tina Scott, completed an

application for an accident only policy through Combined Insurance Company of America for "Jeremy Scott" and signed the application with the name "Tina Scott." Tina Scott is listed as "mother" to the insured and as the beneficiary to the policy. The policy number on the application is R8374603C.

5. Tina Scott does not have a child named "Jeremy Scott."

6. On May 5, 2006, Ragsdale, without authorization from Tina Scott, completed an application for an accident only policy through Combined Insurance Company of America for "Amanda Scott" and signed the application with the name "Tina Scott." Tina Scott is listed as "mother" to the insured and as the beneficiary to the policy. The policy number on the application is R8374601A.

7. Tina Scott does not have a child named "Amanda Scott."

8. On May 5, 2006, Ragsdale, without authorization from Tina Scott, completed an application for an accident only policy through Combined Insurance Company of America for "Joshua Scott" and signed the application with the name "Tina Scott." Tina Scott is listed as "mother" to the insured and as the beneficiary to the policy. The policy number on the application is R8374602B.

9. Tina Scott does not have a child named "Joshua Scott."

10. On May 5, 2006, Ragsdale, without authorization from Tina Scott, filled out an application for an accident only policy through Combined Insurance Company of America for "Jerry Scott" and signed the application with the name "Tina Scott." Tina Scott is listed as "wife" to the insured and as the beneficiary to the policy. The policy number on the application is R8374604D.

11. Tina Scott does not have a husband or ex-husband named "Jerry Scott."

12. Each application for insurance states "Any person who knowingly and with intent to defraud any insurance company or other person files an application for insurance or statement of claim containing any materially false information or conceals for the purpose of misleading, information concerning any fact material thereto commits a fraudulent insurance act, which is a crime and subjects such person to criminal and civil penalties."

13. On May 5, 2006, policies for Jeremy Scott, Amanda Scott, Joshua Scott, and Jerry Scott were issued by Combined Insurance Company of America with policy numbers R8374603C, R8374601A, R8374602B, and R8374604D, respectively.

14. On or about May 30, 2006, Ragsdale mailed a letter to Combined Insurance Company of America canceling the policies R8374603C, R8374601A, R8374602B, and R8374604D. Ragsdale requested the check be made payable to

Tina Scott and wrote "as soon as we can we will get our coverage back my husband lost his job."

15. Ragsdale, without authorization from Tina Scott, signed the May 30, 2006, cancellation letter with the name "Tina Scott."

16. Ragsdale did not have Tina Scott's authorization to sign Tina Scott's name on the applications or cancellation letter.

17. On or about October 20, 2006, Tina Scott received a check for $520.00 from Combined Insurance Company of America for the cancellation of the above listed policies, R8374603C, R8374601A, R8374602B, and R8374604D. Tina Scott contacted Ragsdale regarding the check, who told Tina Scott to cash the check and that Ragsdale would come by and get the money.

18. On October 31, 2006, Tina Scott made a complaint to the Department regarding Ragsdale, alleging that Ragsdale, without authorization, wrote four (4) insurance policies in which Tina Scott was designated as the beneficiary for four (4) individuals who do not exist. Tina Scott also alleged that Ragsdale forged her signature on the applications.

19. On February 27, 2009, the Department received a Uniform Application for Individual Producer License ("Producer Application") from Ragsdale.

CONCLUSIONS OF LAW

20. Section 375.141, RSMo (Supp. 2008) provides, in part:

> 1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:
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> . . .
>
> (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state.
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> . . .
>
> (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;
>
> . . .

(10) Signing the name of another to an application for insurance or to any document related to an insurance transaction without authorization;

. . .

21. Section 375.144, RSMo (Supp. 2008) provides:

It is unlawful for any person, in connection with the offer, sale, solicitation or negotiation of insurance, directly or indirectly, to:

(1) Employ any deception, device, scheme, or artifice to defraud;

(2) As to any material fact, make or use any misrepresentation, concealment, or suppression;

(3) Engage in any pattern or practice of making any false statement of material fact; or

(4) Engage in any act, practice, or course of business which operates as a fraud or deceit upon any person.

22. The principal purpose of § 375.141, RSMo is not to punish licensees or applicants, but to protect the public. *Ballew v. Ainsworth*, 670 S.W.2d 94, 100 (Mo.App. E.D. 1984).

23. Ragsdale may be refused an insurance producer license based upon § 375.141.1(10), RSMo (Supp. 2008), for signing the name "Tina Scott" to four insurance applications and to a cancellation letter for those insurance policies without authorization.

24. Ragsdale may be refused an insurance producer license based upon § 375.141.1(2), RSMo (Supp. 2008), for violating § 375.144, RSMo (Supp. 2008), for engaging in an act which operated as a fraud or deceit upon Combined Insurance Company of America by completing applications for insurance for purported family members of Tina Scott that did not exist.

25. Ragsdale may be refused an insurance producer license based upon § 375.141.1(8), RSMo (Supp. 2008), because her signing Tina Scott's name to applications for insurance, without authorization, for purported family members of Tina Scott that did not exist, demonstrates incompetence and untrustworthiness in the conduct of business in this state.

26. In applying his discretion, the Director has considered the history of Ragsdale and all of the circumstances surrounding Ragsdale's Application. Ragsdale has

demonstrated incompetence and untrustworthiness and her history raises questions of her ability to comply with Missouri law. For these reasons, the Director exercises his discretion in refusing to issue an insurance producer license to Ragsdale.

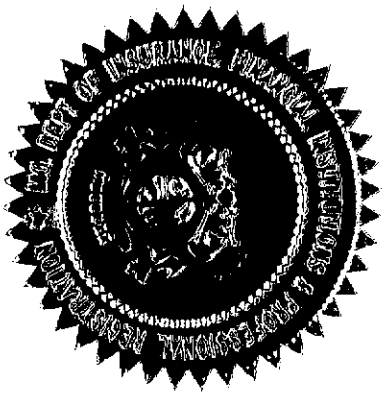
27. This order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that issuance of the insurance producer license of Sharon Ragsdale is hereby REFUSED.

SO ORDERED.

WITNESS MY HAND THIS 19th DAY OF JUNE, 2009.



JOHN M. HUFF
DIRECTOR

NOTICE

TO: Applicant and any unnamed persons aggrieved by this Order:

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri within thirty (30) days after the mailing of this notice pursuant to Section 621.120, RSMo.

CERTIFICATE OF SERVICE

I hereby certify that on this 22nd day of June, 2009, a copy of the foregoing notice and order was served upon the Applicant in this matter by certified mail.

Karen Crutchfield
Karen Crutchfield
Senior Office Support Staff