State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS & PROFESSIONAL REGISTRATION

IN THE MATTER OF:	)	
	)	
	)	**Case No. 10-0407427C**
Tina M. Ragland,	)	
	)	
Applicant.	)	
	)	
Serve at:	)	
	)	
6221 North West Lane	)	
Stockton, California 95210	)	

ORDER REFUSING TO ISSUE INSURANCE PRODUCER LICENSE

On April 28, 2010, Tamara W. Kopp, Senior Enforcement Counsel and counsel to the Consumer Affairs Division, submitted a Petition to the Director alleging cause for refusing to issue an insurance producer license to Tina M. Ragland. After reviewing the Petition, the Investigative Report, and the entirety of the file, the Director issues the following findings of fact, conclusions of law, and summary order:

FACTUAL BACKGROUND

1. Tina M. Ragland ("Ragland") is an individual residing in California, whose mailing address of record is 6221 North West Lane, Stockton, California 95210.

2. On November 4, 2009, the Department of Insurance, Financial Institutions and Professional Registration ("Department") received a non-resident insurance producer application ("Application") from Ragland.

3. The Department's Consumer Affairs Division Investigator Carrie Couch discovered that the North Dakota Insurance Department had denied Ragland's application for a nonresident insurance producer license in December 2009.

4. On January 26, 2010, Investigator Couch mailed a letter to Ragland at her mailing address of record, requesting more information about the North Dakota license denial. The letter was not returned to the Department as undeliverable. Ragland did not respond to the January 26, 2010 letter and did not contact the Department in any way to provide a reasonable justification for a delayed response.

5. On February 23, 2010, Investigator Couch mailed a second letter to Ragland at her mailing address of record, requesting more information about the North Dakota license denial. The letter was not returned to the Department as undeliverable. Ragland did not respond to the February 23, 2010 letter and did not contact the Department in any way to provide a reasonable justification for a delayed response.

CONCLUSIONS OF LAW

6. Section 374.210.2, RSMo (Supp. 2009), provides, in part:

* * *

> The director may also suspend, revoke or refuse any license or certificate of authority issued by the director to any person who does not appear or refuses to testify, file a statement, produce records, or does not obey a subpoena.

7. Section 375.141.1, RSMo (Supp. 2009), provides, in part:

> 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;
>
> * * *
>
> (9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory;
>
> * * *

8. Title 20 CSR 100-4.100(2)(A) Required Response to Inquiries by the Consumer Affairs Division, provides:

> Upon receipt of any inquiry from the division, every person shall mail to the division an adequate response to the inquiry within twenty (20) days from the date the division mails the inquiry. An envelope's postmark shall determine the date of mailing. When the requested response is not produced by the person within twenty (20) days, this nonproduction shall be deemed a violation of this rule, unless the person can demonstrate that there is reasonable justification for that delay.

9. 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).

10. Ragland may be refused an insurance producer license pursuant to § 374.210.2, RSMo (Supp. 2009) for refusing to file a statement in response to two inquiries by the Department's Consumer Affairs Division.

11. Ragland may be refused an insurance producer license pursuant to § 375.141.1(2), RSMo (Supp. 2009), because by failing to respond to two inquiries by the Department's Consumer Affairs Division, Ragland violated regulation 20 CSR 100-4.100(2)(A).

12. Ragland may be refused an insurance producer license pursuant to § 375.141.1(9), RSMo (Supp. 2009), based upon the North Dakota license denial for having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory.

13. The Director has considered Ragland's history and all of the circumstances surrounding Ragland's Application for licensure and exercised his discretion in summarily refusing to grant Ragland's insurance producer license.

14. Granting Ragland's insurance producer license would not be in the public interest.

15. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the insurance producer license application of **Tina M. Ragland** is hereby summarily **REFUSED**.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 3RD **DAY OF** MAY**, 2010.**

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, P.O. Box 1557, Jefferson City, Missouri within 30 days after the mailing of this notice pursuant to § 621.120, RSMo. Under 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of May, 2010, a duplicate original of the foregoing Order and Notice was served upon the Applicant in this matter by certified mail No. 70041350000314135317.

Tina M. Ragland
6221 North West Lane
Stockton, California 95210

Kathryn Randolph