



State of Missouri

**DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND
PROFESSIONAL REGISTRATION**

IN RE:)
)
KEYON ANTHONY MOORE,) **Case No. 170131144C**
)
Renewal Applicant.)

ORDER REFUSING TO RENEW
AN INSURANCE PRODUCER LICENSE

On August 23, 2017, the Consumer Affairs Division ("Division") submitted a Petition to the Director ("Director") alleging cause for refusing to renew Keyon Anthony Moore's insurance producer license. After reviewing the Petition, the Investigative Report, and other documentation, the Director issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Keyon Anthony Moore ("Moore") is a Florida resident with a residential and business address of record of 1433 SW 119th Avenue, Pembroke Pines, Florida 33025-5779 and a mailing address of record of P.O. Box 260368, Pembroke Pines, Florida 33026-7368.
2. On March 12, 2014, the Department of Insurance, Financial Institutions and Professional Registration ("Department") issued an individual, non-resident insurance producer license to Moore (license number 8314457). Moore's license expired on March 12, 2016.
3. On March 25, 2016, Moore submitted an electronic non-resident renewal application for an individual insurance producer license ("Renewal Application").
4. Moore accepted the "Attestation" section of the Renewal Application, which reads, in relevant part, as follows:
 1. I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting

pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.

5. Background Question Number 2 of the Renewal Application asks:

Have you been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration, which has not been previously reported to this insurance department?

“Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation, sanctioned or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration. “Involved” also means having a license, or registration, application denied or the act of withdrawing an application to avoid a denial. INCLUDE any business so named because of your actions in your capacity as an owner, partner, officer or director, or member or manager of a Limited Liability Company. You may exclude terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

If you answer yes, you must attach to this application:

- a) a written statement identifying the type of license and explaining the circumstances of each incident,
- b) a copy of the Notice of Hearing or other document that states the charges and allegations, and
- c) a copy of the official document which demonstrates the resolution of the charges or any final judgment.

6. Moore answered “No” to Background Question Number 2.

False Information for Policies on the Exchange¹

7. On December 21, 2015, the Department received a letter from Humana Insurance Company (“Humana”) indicating that it had terminated Moore for cause based

¹ The “Exchange” refers to the Health Insurance Exchange, a.k.a., the Health Insurance Marketplace and the Affordable Care Act Marketplace; it can be accessed at www.HealthCare.gov.

upon information that Moore had engaged in fraudulent or dishonest acts or practices.

8. On January 15, 2016, Humana provided additional information to the Department regarding Moore's activities. Moore had been identified as potentially selling policies on the Exchange with false identification and other possibly false information.
9. Humana first learned of Moore's activities when it received a phone call from an individual, A.W.,² in Dearborn, Michigan. A.W. indicated that he had been receiving bills for Humana insurance even though he had never signed up for Humana insurance. A.W. provided his name, date of birth, Social Security number, address, and phone number. Humana could only find a match for the name, address, and phone number. Moore was the listed agent of record.
10. Humana contacted Moore regarding A.W.'s complaint. Moore sent a letter to Humana indicating that he had met with A.W. after receiving a "lead" and had enrolled him for insurance.
11. Humana terminated A.W.'s coverage.
12. Humana investigated further and reviewed contracts, commission reports, and Moore's book of business. Humana investigators attempted to contact members who had signed up for insurance through Moore, but the attempts were often unsuccessful due to incorrect phone numbers, no Social Security numbers, and incorrect addresses.
13. Humana investigators were able to contact four members who had insurance through Humana with Moore as the listed agent. Three of them indicated that they had signed up for health insurance personally from their home computers on the HealthCare.gov website. All three denied having ever used Moore as an agent or having ever spoken with Moore.
14. The fourth individual that Humana investigators were able to contact, J.B., said that he had called a toll free number to enroll for health insurance through "Obama care." This person did not know Moore and has never spoken to Moore on the phone.
15. Humana's investigators also did an address search for every member enrolled through Moore. Of the non-duplicate addresses, 10 of the 73 were either

² Initials are used here and throughout to protect consumer identities.

commercial business locations or addresses that could not be verified through either Google Maps or MapQuest.

16. Of the members that Moore supposedly signed up for insurance, several were terminated after three months for non-payment, then re-enrolled again. All commissions paid were for first time enrollments, and none were paid for renewals. All policies were sold on the commercial Humana One platform; all are subsidized through the federal government.
17. Moore received \$10,429.51 in commissions for these policies totaling \$62,332.61. Moore enrolled 73 members, of which 11 were active policies and 18 have been terminated at least twice in 2015. One member was terminated five times in 2015.
18. Humana's investigation concluded that Moore falsely used the Exchange to enroll members and collect commissions from Humana.
19. On March 30, 2016, Division Special Investigator Dennis Fitzpatrick sent an inquiry letter to Moore via first class mail to Moore's residential and business address of record, asking Moore to address Humana's allegations against him.
20. In response to the March 30, 2016 inquiry letter, Moore provided a letter dated April 11, 2016 that contained his view of the issues with Humana. Moore stated that he simply followed his employer's instructions and office policies in terms of obtaining information from and sending out insurance policies to clients.

Administrative Actions and Moore's Non-Disclosure

21. On March 7, 2016, the Commonwealth of Kentucky revoked Moore's insurance license. *In the Matter of: Keyon Anthony Moore*, Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033.
22. Moore did not report this Kentucky administrative action on his Renewal Application, which he submitted on March 25, 2016.
23. Moore did not report this Kentucky administrative action to the Department within thirty days of the final disposition of the matter. Moore finally reported this Kentucky administrative action to Missouri through the National Insurance Producer Registry on June 20, 2016.
24. On June 20, 2016, the State of Mississippi entered into a Consent to Administrative Fine with Moore wherein the parties agreed that Moore would pay a monetary penalty of \$250.00 and that Moore's Mississippi license would be

placed in a probationary status for one (1) year. *In re: Keyon Moore*, Mississippi Insurance Department, License No. 10326355.

25. Moore did not report this Mississippi administrative action to the Department within thirty days of the final disposition of the matter. Moore finally reported this Mississippi administrative action to Missouri through the National Insurance Producer Registry on December 19, 2016.
26. On July 29, 2016, the State of Indiana entered an Administrative Order Notice of Nonrenewal of License, notifying Moore that it would not be renewing his non-resident insurance producer license. *In the Matter of: Keyon Moore*, Indiana Commissioner of Insurance, Cause No. 14938-AD16-0713-053.
27. Moore did not report this Indiana administrative action to the Department within thirty days of the final disposition of the matter or at all.
28. On August 31, 2016, the State of Nebraska revoked Moore's non-resident insurance producer license. *State of Nebraska, Department of Insurance vs. Keyon Anthony Moore*, Nebraska Department of Insurance, Cause No. A-2041.
29. Moore did not report this Nebraska administrative action to the Department within thirty days of the final disposition of the matter. Moore finally reported this Nebraska administrative action to Missouri through the National Insurance Producer Registry on April 3, 2017.
30. On October 21, 2016, the State of Louisiana denied Moore a non-resident insurance producer license. Letter from Louisiana Department of Insurance to Keyon Anthony Moore dated October 21, 2016.
31. Moore did not report this Louisiana administrative action to the Department within thirty days of the final disposition of the matter. Moore finally reported this Louisiana administrative action to Missouri through the National Insurance Producer Registry on March 2, 2017.
32. On March 6, 2017, the State of Georgia revoked Moore's non-resident insurance agent license. *In the Matter of: Keyon Moore*, Office of Commissioner of Insurance, State of Georgia, Case No. 11017185.

CONCLUSIONS OF LAW

33. Section 375.141.1³ 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:

- (1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;
- (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;
- (3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;
- (4) Improperly withholding, misappropriating or converting any moneys or properties received in the course of doing insurance business;
- (5) Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance;

* * *

- (7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;
- (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere; [or]
- (9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory[.]

34. Section 375.141.6, an insurance law, provides:

³ This and all further statutory citations are to RSMo Supp. 2013 unless otherwise noted.

An insurance producer shall report to the director any administrative action taken against the producer in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report shall include a copy of the order, consent order or other relevant legal documents.

35. Section 375.144, an insurance law, 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.

36. Section 375.934, RSMo 2000, an insurance law, provides:

It is an unfair trade practice for any insurer to commit any practice defined in section 375.936 if:

- (1) It is committed in conscious disregard of sections 375.930 to 375.948 or of any rules promulgated under sections 375.930 to 375.948; or
- (2) It has been committed with such frequency to indicate a general business practice to engage in that type of conduct.

37. Section 375.936, RSMo 2000, an insurance law, provides:

Any of the following practices, if committed in violation of Section 375.934, are hereby defined as unfair trade practices in the business of insurance:

* * *

- (7) "Misrepresentation in insurance applications", making any false or fraudulent statements or representations on or relative to an application for a policy, for the purpose of obtaining a

fee, commission, money, or other benefit from any insurer, agent, agency, broker or other person.

38. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(1) because Moore intentionally provided materially misleading or incomplete information in the Renewal Application when he failed to disclose the Kentucky administrative action against him wherein Kentucky revoked his insurance license. *In the Matter of: Keyon Anthony Moore*, Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033 (March 7, 2016).
39. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating § 375.141.6 because Moore failed to report to the Director administrative actions taken against him in other jurisdictions within thirty days of the final disposition of the matters. In particular, Moore failed to timely report the following administrative actions to the Department:
 - a. *In the Matter of: Keyon Anthony Moore*, Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033 (March 7, 2016). Moore did not report this administrative action until June 20, 2016.
 - b. *In re: Keyon Moore*, Mississippi Insurance Department, License No. 10326355 (June 20, 2016). Moore did not report this administrative action until December 19, 2016.
 - c. *In re: Keyon Moore*, Indiana Commissioner of Insurance, Cause No. 14938-AD16-0713-053. Moore did not report this administrative action at all.
 - d. *State of Nebraska, Department of Insurance v. Keyon Anthony Moore*, Nebraska Department of Insurance, Cause No. A-2041 (August 31, 2016). Moore did not report this administrative action until April 3, 2017.
 - e. Letter from Louisiana Department of Insurance to Keyon Anthony Moore, October 21, 2016 (denying license). Moore did not report this administrative action until March 2, 2017.
40. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating § 375.144(1) because

Moore employed any deception, device, scheme, or artifice to defraud by signing up multiple consumers for Humana insurance without those consumers' knowledge or consent in order to obtain commissions.

41. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating § 375.144(2) because as to any material fact, Moore made or used any misrepresentation, concealment, or suppression, in that Moore said that he was the agent of record for numerous consumers but those consumers either obtained insurance online and on their own, or did not obtain any Humana insurance products at all, and Moore provided false addresses and other false information in policy applications.
42. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating § 374.144(3) because Moore engaged in any pattern or practice of making any false statement of material fact in that Moore falsely claimed that he was the agent of record who had sold insurance policies to numerous consumers and he provided false addresses and other false information in policy applications.
43. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating § 375.144(4) because Moore engaged in any act, practice, or course of business which operated as a fraud or deceit upon any person, because Moore falsely claimed that he was agent of record and provided false addresses and other false information in policy applications in order to receive commissions from Humana for policies that he did not actually sell.
44. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating any insurance laws because he violated Kentucky insurance laws as follows:
 - a. Moore engaged in illegal dealings in premium, in violation of KRS 304.12-190; and
 - b. Moore did not respond to the Kentucky Department of Insurance's multiple attempts to contact Moore in writing, in violation of KRS 304.2-165(2).
45. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating any insurance laws because he violated a Nebraska insurance law as follows:

- a. Moore failed to provide notice to the Nebraska director of any administrative action taken against the licensee in another jurisdiction within thirty days of final disposition of the matter, in violation of Neb. Rev. Stat. § 44-4065(1).
46. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(2) for violating any insurance laws because he violated an Indiana insurance law as follows:
 - a. Moore did not report to the Indiana Commissioner any administrative action taken against the producer in another jurisdiction not more than thirty (30) days after the final disposition of the matter, in violation of Indiana Code § 27-1-15.6-17(a).
47. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused for committing an unfair trade practice under § 375.936(7), RSMo 2000, in violation of § 375.934, RSMo 2000, which constitutes grounds under § 375.141.1(2) for violation of insurance laws, because Moore engaged in the unfair trade practice of misrepresentation in insurance applications as defined in § 375.936(7), RSMo 2000, by making false or fraudulent statements or representations on or relative to an application by falsely listing himself as agent of record and thereby claiming that he sold insurance policies to consumers who had purchased insurance online on their own or who did not wish to purchase Humana insurance products and by putting false addresses and other false information on policy applications, for the purpose of obtaining a fee, commission, money, or other benefit from any insurer, agent, agency, broker or other person. Moore has committed the unfair trade practice of misrepresentation in insurance applications in conscious disregard of §§ 375.930 to 375.948, or any rules promulgated thereunder, or with such frequency as to indicate a general business practice to engage in that type of conduct, in violation of § 375.934, RSMo 2000.
48. Each time Moore violated any insurance laws, or violated any regulation, subpoena, or order of the director or of another insurance commissioner in any other state constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(2).
49. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(3) because he attempted to obtain a license through material misrepresentation or fraud by failing to disclose in his Renewal Application the Kentucky administrative action against him wherein Kentucky revoked his insurance license. *In the Matter of Keyon Anthony Moore,*

Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033 (March 7, 2016).

50. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(4) because he improperly withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business when he obtained commissions from Humana for policies that he allegedly sold to at least five (5) consumers, when, in fact, those consumers obtained Humana insurance online and on their own, or never signed up for Humana insurance at all.
51. Each time Moore withheld, misappropriated or converted any moneys or properties received in the course of doing insurance business constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(4).
52. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(5) because he intentionally misrepresented the terms of an actual or proposed insurance contract or application for insurance when he indicated, as to at least five (5) consumers, that he had sold Humana policies to those five consumers when, in fact, those consumers obtained Humana insurance online and on their own, or never signed up for Humana insurance at all.
53. Each time Moore intentionally misrepresented the terms of an actual or proposed insurance contract or application for insurance constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(5).
54. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(7) because he was found to have committed any insurance unfair trade practice or fraud in that Moore "engaged in fraudulent or dishonest acts or practices[;]" Humana terminated Moore on that basis.
55. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(7) because the Commonwealth of Kentucky found that Moore admitted to or was found to have committed any insurance unfair trade practice or fraud. *In the Matter of Keyon Anthony Moore*, Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033 (March 7, 2016).

56. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(7) because the State of Louisiana found that Moore admitted to or was found to have committed any insurance unfair trade practice or fraud. Letter from Louisiana Department of Insurance to Keyon Anthony Moore, October 21, 2016 (denying license).
57. Each time Moore admitted or was found to have committed any insurance unfair trade practice or fraud constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(7).
58. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(8) because Moore used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere in that Moore indicated, as to at least five (5) consumers, that he had sold Humana policies to those five consumers when, in fact, those consumers obtained Humana insurance online and on their own, or never signed up for Humana insurance at all.
59. Each time Moore used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(8).
60. Moore's Renewal Application for a non-resident, individual insurance producer license may be refused under § 375.141.1(9) because he had an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory because various states have revoked or otherwise taken administrative action against Moore's insurance licenses in those various states, as follows:
 - a. Kentucky revoked Moore's insurance license on March 7, 2016. *In the Matter of Keyon Anthony Moore, Commonwealth of Kentucky, Department of Insurance, Case No. 2016-0033.*
 - b. Indiana refused to renew Moore's non-resident insurance producer license on July 29, 2016. *In the Matter of: Keyon Moore, Indiana Commissioner of Insurance, Cause No. 14938-AD16-0713-053.*
 - c. Nebraska revoked Moore's insurance producer license on August 31, 2016. *State of Nebraska, Department of Insurance vs. Keyon Anthony*

Moore, Nebraska Department of Insurance, Cause No. A-2041.

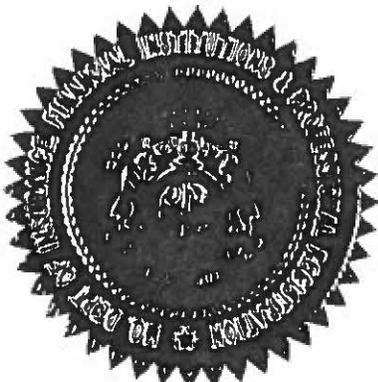
- d. Louisiana denied Moore a non-resident insurance producer license on October 21, 2016. Letter from Louisiana Department of Insurance to Keyon Anthony Moore.
 - e. Georgia revoked Moore's insurance agent license on March 6, 2017. *In the Matter of: Keyon Moore, Office of Commissioner of Insurance, State of Georgia, Case No. 11017185.*
61. Each time Moore had an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory constitutes a separate and sufficient ground for the Director to refuse to renew Moore's individual, non-resident insurance producer license under § 375.141.1(9).
62. The above described instances are grounds upon which the Director may refuse to renew Moore's non-resident, individual insurance producer license.
63. The Director has considered Moore's history and all of the circumstances surrounding Moore's Renewal Application. Renewing Moore's non-resident, individual insurance producer license would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to renew Moore's insurance producer license.
64. This Order is in the public interest.

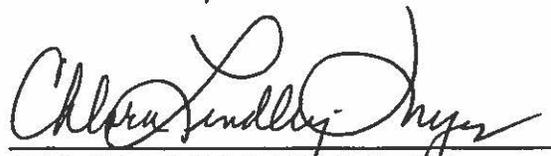
ORDER

IT IS THEREFORE ORDERED that the non-resident, individual insurance producer license Renewal Application of **Keyon Anthony Moore** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 21st DAY OF September, 2017.




CHLORA LINDLEY-MYERS
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 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 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.

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2017, a copy of the foregoing Order and Notice was served upon the Renewal Applicant in this matter by United States Postal Service, certified mail, at the following address:

Keyon Anthony Moore
P.O. Box 260368
Pembroke Pines, FL 33026-7368

Certified No. 7016 3010 0000 4563 0949



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