



State of Missouri

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

IN RE:)
)
 PETER E. OKOLIE,) Case No. 13-0529335C
)
 Renewal Applicant.)

ORDER REFUSING TO RENEW AN INSURANCE PRODUCER LICENSE

On July 15, 2013, the Consumer Affairs Division, through counsel, submitted a Petition to the Director alleging cause for refusing to renew Peter E. Okolie's insurance producer license. After reviewing the Petition, the Investigative Report, and the entirety of the file, James R. McAdams, Deputy Director, issues the following findings of fact, conclusions of law, and order:

FINDINGS OF FACT

1. Peter E. Okolie, ("Okolie") is a Missouri resident with a residential address of 7711 Walnut Street, Kansas City, MO 64114.
2. The Department of Insurance, Financial Institutions, and Professional Registration ("Department") issued Okolie an individual resident insurance producer license (License No. 0226183) on July 17, 1989, which was most recently renewed on July 18, 2011.
3. On or about April 4, 2012, the Department received a termination notice from the manager of the Medicare Operational Compliance Unit of Coventry Health Care ("Coventry") that states, in part:

Coventry recently terminated with cause agent Peter Okolie. Attached are two applications which were the focal point of the investigation. Rosie Allen's date of death is 11/12/2009 but agent Okolie submitted an application signed 3/8/2012. Member Charles Baker stated he did not sign an application to enroll into the Coventry plan. He returned the affidavit of forgery and pointed out that his first name is spelled and signed incorrectly.
4. Coventry also provided the Department with copies of the insurance applications referenced in their termination notice. Okolie submitted said applications to Coventry.

5. The first of these insurance applications is signed "Rosie M. Allen" ("Allen") and dated March 8, 2012. Coventry discovered that Allen had been deceased since November 12, 2009.
6. The second of these insurance applications is signed "Charlse C. Baker" and dated March 8, 2012. Charles Baker ("Baker") submitted a complaint against Okolie to Coventry stating that Baker did not sign the March 8, 2012 application. Coventry requested that Baker memorialize this allegation in an "Affidavit of Forgery," which Baker submitted to Coventry on or about March 28, 2012. Baker states in the Affidavit of Forgery that Okolie forged his signature on the application.
7. The Consumer Affairs Division ("Division") began an investigation into Okolie's alleged prior acts upon receiving Coventry's termination notice.
8. Through its investigation, the Division discovered the following delinquent tax obligation:

- a. On or about March 19, 2010, the Jackson County Circuit Court entered a judgment against Okolie for unpaid taxes for the 2006 and 2007 filing years as follows:

The Director of Revenue, under Section 143.902, RSMo, hereby certifies that the following assessment of tax, interest, additions to tax, penalties, and fees have been made and become final [in the amount of \$600.35]. Interest continues to accrue as provided by law until the full amount of the tax liability is paid.

Department of Revenue v. Peter E. Okolie, Jackson Co. Cir. Ct., Case No. 1016-MC04720.

9. Through its investigation, the Division also discovered the following administrative action taken against Okolie in another jurisdiction:
 - a. On or about May 22, 2012, the Kansas Insurance Department entered a Summary Order revoking Okolie's nonresident insurance agent's license as a result of Okolie's actions on or about March 8, 2012, when he forged other's signatures to applications for insurance, namely the signatures of Allen and Baker, and because he engaged in fraudulent and dishonest practices in the conduct of his insurance business when he submitted forged applications for health insurance to Coventry for Baker and Allen and in his response to the Kansas Insurance Department. *In the Matter of the Kansas Nonresident Insurance Agent's License of Peter E. Okolie*, Docket No. 4445-SO (July 23, 2012).

- b. On July 23, 2012, the Kansas Insurance Department entered a Final Order which incorporated the May 22, 2012 Summary Order (hereinafter collectively referred to as the "Kansas Order"). These orders are effective as of July 23, 2012. *Id.*
10. Okolie failed to report the Kansas Order to the Director within thirty (30) days of the final disposition of the matter.
11. The Department received Okolie's "Uniform Application for Individual Producer License Renewal/Continuation" ("Application") on or about July 10, 2013.

CONCLUSIONS OF LAW

12. Section 375.141 RSMo (Supp. 2012)¹ states, in pertinent 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:
- * * *
- (2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or another insurance commissioner in another state;
- * * *
- (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;
- (9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory;
- (10) Signing the name of another to an application for insurance or to any document related to an insurance transaction without authorization;
- * * *
- (14) Failing to comply with any administrative or court order directing payment of state or federal income tax.
- * * *

¹ All statutory references are to the RSMo (2000) as updated by the 2012 Supplement, unless otherwise indicated.

6. 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.
13. The principal purpose of § 375.141 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).
14. Renewal of Okolie's individual resident insurance producer license may be refused pursuant to § 375.141.1(9) because the equivalent of his insurance producer license was revoked in another state, namely Kansas, to wit:
 - a. *In the Matter of the Kansas Nonresident Insurance Agent's License of Peter E. Okolie*, Docket No. 4445-SO (July 23, 2012) (Revoked for submitting forged insurance applications and for using fraudulent and dishonest practices in the conduct of his insurance business and in his response to the Kansas Insurance Department).
15. Renewal of Okolie's individual resident insurance producer license may be refused pursuant to § 375.141.1(2) because Okolie violated an insurance law, namely § 375.141.6, when he failed to report the Kansas Order to the Director within thirty (30) days of the final disposition of the matter. *See In the Matter of the Kansas Nonresident Insurance Agent's License of Peter E. Okolie*, Docket No. 4445-SO (July 23, 2012).
16. Renewal of Okolie's individual resident insurance producer license may be refused pursuant to § 375.141.1(8) because he used fraudulent or dishonest practices or demonstrated incompetence or untrustworthiness in the conduct of business in Missouri when he signed the names of Allen and Baker to insurance applications without authorization from Allen and Baker on or about March 8, 2012.
17. Each instance in which Okolie used fraudulent or dishonest practices or demonstrated incompetence or untrustworthiness in the conduct of business in Missouri is a separate and sufficient cause to refuse renewal of Okolie's individual resident insurance producer license pursuant to § 375.141.1(8).
18. Renewal of Okolie's individual resident insurance producer license may be refused pursuant to § 375.141.1(10) because he signed the name of another to applications for insurance without authorization, namely the insurance applications that Okolie signed Allen's and Baker's names to.

19. Each instance in which Okolie signed the name of another to an application for insurance without authorization is a separate and sufficient cause to refuse renewal of Okolie's individual resident insurance producer license pursuant to § 375.141.1(10).
20. Renewal of Okolie's individual resident insurance producer license may be refused pursuant to § 375.141.1(14) because he has failed to comply with a court order directing the payment of state income taxes, to wit:
 - a. *Department of Revenue v. Peter E. Okolie*, Jackson Co. Cir. Ct., Case No. 1016-MC04720 (Certified tax lien in the amount of \$600.35 for unpaid taxes for the 2006 and 2007 filing years).
21. The Director has considered Okolie's history and all of the circumstances surrounding Okolie's Application. Renewing Okolie's individual resident insurance producer license would not be in the interest of the public. Accordingly, the Director exercises his discretion to refuse to renew Okolie's individual resident insurance producer license.
22. This Order is in the public's interest.

ORDER

IT IS THEREFORE ORDERED that the individual resident insurance producer license renewal application of **Peter E. Okolie** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 15th DAY OF JULY, 2013.




James R. McAdams
DEPUTY DIRECTOR

NOTICE

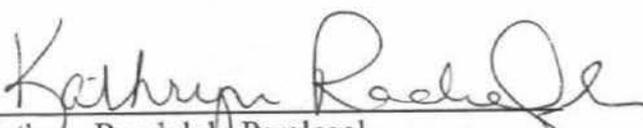
TO: Applicant and any unnamed persons aggrieved by this Order:

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.

CERTIFICATE OF SERVICE

I hereby certify that on this 16th day of July, 2013 a copy of the foregoing Order and Notice was served upon the Applicant in this matter by regular mail and UPS, No. 1Z0R15W84297064862, at the following address:

Peter E. Okolie
7711 Walnut Street
Kansas City, Missouri 64114


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