

APR 04 2024

BEFORE THE DEPARTMENT OF INSURANCE  
STATE OF NEBRASKA

FILED

STATE OF NEBRASKA	)	
DEPARTMENT OF INSURANCE,	)	FINDINGS OF FACT, CONCLUSIONS
	)	OF LAW, RECOMMENDED ORDER
PETITIONER,	)	AND ORDER
	)	
VS.	)	CAUSE NO. A-2364
	)	
KEISHA R. FRAZIER	)	
(NAIC Producer #20048633),	)	
	)	
RESPONDENT.	)	

This matter came on for hearing on April 2, 2024, before Cheryl Wolff, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its counsel, Megan VanAusdall. Keisha R. Frasier, (“Respondent”) did not appear and was not represented by counsel. The proceedings were recorded by Shelly Storie, a licensed Notary Public. The Department offered Exhibits 1 and 2 at the hearing, which were received without objection. The Respondent did not offer any exhibits. After the conclusion of evidence, the matter was taken under advisement. The hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. The Department is the agency of the State of Nebraska charged with licensing insurance producers.
2. Respondent is a licensed non-resident insurance producer. Respondent’s residential and mailing address on file with the Department is 8501 Old Hickory Trail, Dallas, TX 75237. (Ex. 1, Attachment 1).

1. On or about January 12, 2024, the Department was notified of an administrative action taken on December 28, 2023, by the Mississippi Department of Insurance to revoke her non-resident license in that state because her resident state insurance license was inactive. (Ex. 1, Attachment 2).

2. The Respondent's licensing records indicate that her resident license in Texas is inactive as of March 31, 2023. Respondent has not obtained a new resident license in Texas or in any other state. (Ex. 1).

3. On or about February 20, 2024, the Petition and Notice of Hearing were served upon Respondent by mailing the same to her registered address, by certified mail, return receipt requested, and via regular mail. (Ex. 2).

4. On or about March 11, 2024, the letter sent regular U.S. mail to her registered address was returned by the United States Postal Service ("USPS") to the Department marked "RETURN TO SENDER, NOT DELIVERABLE AS ADDRESSED, UNABLE TO FORWARD". (Ex. 2, Attachment 1).

5. On or about March 7, 2024, the letter sent certified mail to her registered address was returned by the U.S. Postal Service to the Department marked "RETURN TO SENDER, ATTEMPTED – NOT KNOWN, UNABLE TO FORWARD". As of March 19, 2024, the letter sent regular U.S. mail had not been returned to the Department. (Ex. 2, Attachment 2).

#### CONCLUSIONS OF LAW

1. The Department has broad jurisdiction, control, and discretion over the licensing of insurance producers in the State of Nebraska pursuant to Neb. Rev. Stat. §§ 44-101.01 and 44-4047 to 40-4069.

2. The Department has personal jurisdiction over Respondent.

3. Pursuant to Neb. Rev. Stat. § 44-4059, provides that the Director may refuse to issue or renew an insurance producer's license for several reasons including: ... o) Failing to maintain in good standing a resident license in the insurance producer's home state.

4. Respondent violated Neb. Rev. Stat. §§ 44-4059(1)(o) as a result of the conduct found in paragraphs 2 through 5 in the Findings of Fact and as evidenced by the relevant exhibits received.

#### DISCUSSION

At the hearing, the Department presented sufficient evidence of proper service of notice of these proceedings upon Respondent. The Department served Respondent via certified mail, return receipt requested and regular U.S. mail to the Respondent's address registered with the Department. Based upon the evidence of record, the Department's service of the petition and notice of hearing upon Respondent at her address of record was sufficient and jurisdiction over the actions of the Respondent in this matter has been established.

The uncontested evidence shows that Respondent had her insurance license revoked in another state, which was Mississippi, for failing to maintain a resident license in her home state. She also has not maintained an active resident license in her home state of Texas, as her resident license became inactive effective March 31, 2023. The Respondent does not hold a current active resident license in Texas or any other state. Respondent did not respond to the Department, nor did she appear at the hearing.

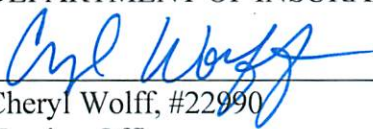
These actions constitute a violation of Neb. Rev. Stat. § 44-4059(1)(o).

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, it is recommended that Respondent's non-resident insurance producer's license be revoked. The Nebraska Department of Insurance shall retain jurisdiction of this matter for the purpose of enabling Respondent or the Department of Insurance to make application for such orders as may be necessary.

Dated this 4<sup>th</sup> day of April, 2024.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
\_\_\_\_\_  
Cheryl Wolff, #22990  
Hearing Officer

CERTIFICATE OF ADOPTION

I have reviewed the foregoing Findings of Fact, Conclusions of Law, and Recommended Order and hereby certify that the Recommended Order is adopted as the official and final Order of this Department in the matter of State of Nebraska, Department of Insurance vs. Keisha R. Frasier. (NAIC Producer #20048633), Cause No. A-2364.

Dated this 4<sup>th</sup> day of April, 2024.

STATE OF NEBRASKA  
DEPARTMENT OF INSURANCE

  
\_\_\_\_\_  
Eric Dunning  
Director of Insurance

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Findings of Fact, Conclusions of Law, Recommended Order, and Order was served upon the Respondent by mailing a copy to Respondent's registered address at 8501 Old Hickory Trail, Dallas, TX 75237, via certified mail, return receipt requested and via regular U.S. mail on this 4<sup>th</sup> day of April, 2024.

Shelly Strie