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BEFORE THE DEPARTMENT OF INSURANCE
STATE OF NEBRASKA

FILED

IN RE THE MATTER OF THE LICENSE)
DENIAL OF STACIE M. WADE.) FINDINGS OF FACT, CONCLUSIONS
) OF LAW, RECOMMENDED ORDER
) AND ORDER
)
) CAUSE NO. A-1957
)
)
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)

This matter came on for hearing on the 2nd day of October, 2012, before Martin W. Swanson, a hearing officer duly appointed by the Director of the Nebraska Department of Insurance. The Nebraska Department of Insurance (“Department”) was represented by its attorney, Eric Dunning. Stacie M. Wade (“Wade”) was present and was not represented by an attorney. The proceedings were tape recorded by Tracy Gruhn, a licensed Notary Public. Evidence was received, testimony was adduced, and the matter was taken under advisement. As a result of the hearing, the hearing officer makes the following Findings of Fact, Conclusions of Law, and Recommended Order.

FINDINGS OF FACT

1. Wade’s address is 16522 Erskine Street, Omaha, NE 68116. Wade requested this hearing and was served notice of said hearing by the Department. **E1.**
2. The Department, on August 15, 2012, received an application for a resident producer license from Wade. On the application, Wade admitted that she had been convicted of a crime. **E2.**
3. Respondent had her insurance producer license revoked in Cause Number A-1559 and that decision was reaffirmed in 2004 in Cause Number A-1587.

4. Respondent was denied her insurance producer license by the Department on September 14, 2011 and that decision was reaffirmed in Cause Number A-1925.

5. The Department denied her application again and Wade requested a hearing to appeal the decision of the licensing division of the Department. **E2.**

6. Wade's conviction was set aside on May 6, 2009, and, according to the order, the conviction is nullified and all civil disabilities and disqualifications imposed as a result of the conviction are removed as though a pardon had been issued.

7. Wade testified that she has been appointed with the Social Security Administration as a Representative Payee.

8. Wade has been gainfully employed since her last appearance before the Department, and job involve financial responsibility.

9. Wade has a \$50 outstanding fee from 2004 to be paid to the Department, in addition to her fee for the returned check in 2004, and her current licensing fee of \$60.

DISCUSSION

While, Wade was denied her license previously, Wade has made improvements in her life and is trusted in a fiduciary duty by the Social Security Administration. She continues to be employed and she is also in the process of finishing her schooling. Since the last time Wade has visited the Department regarding her license, those improvements are exactly those that were hoped for, and were accomplished by, Wade. So long as Wade pays her past debts to the Department, Wade should have her license application granted.

CONCLUSIONS OF LAW

1. The Department has jurisdiction and control over the licensing of Respondent to sell insurance in the State of Nebraska pursuant to Neb. Rev. Stat. §44-101.01 and §44-4001 et seq.
2. The Department has personal jurisdiction over Respondent.

RECOMMENDED ORDER

Based on the Findings of Fact and Conclusions of Law, the following is recommended for adoption by the Director of Insurance:

1. Wade's application for an insurance producer's license should be granted, on the condition that she pays any outstanding fines to the Department. Ms. Wade should contact the Department to ensure all fines and debts owed are settled before the license is to be granted.
2. The Nebraska Department of Insurance will continue to retain jurisdiction over this matter.

Dated this day of 1st day of November, 2012.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Martin W. Swanson
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 license denial of Stacie M. Wade, Cause No. A-1957.

Dated this 1st day of November, 2012.

STATE OF NEBRASKA
DEPARTMENT OF INSURANCE



Bruce R. Range
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 at 16522 Erskine Street, Omaha, NE 68116, by certified mail, return receipt requested, on this 1st day of November, 2012.

