

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

STATE OF ALASKA

DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT

DIVISION OF INSURANCE

In the Matter of:)
)
LANDRA E. HIGBEE,)
)
 Licensee.)
_____)

Case No. D 11-04

ACCUSATION

Linda S. Hall, Director of the Division of Insurance, Department of Commerce, Community, and Economic Development, State of Alaska, states and alleges as follows:

Count I

1. Landra E. Higbee (Ms. Higbee) currently holds resident producer license #81916.

2. On or about October 4, 2009, Ms. Higbee submitted an electronic application for an Alaska non-resident insurance producer license. On the application, she listed her residence address as 1465 Scofield Street, Central Point, OR 97502. At the end of the application, the applicant is required to certify, under penalty of perjury that all the information submitted in the application is true and complete. Exhibit A.

3. On or about October 5, 2009, the division issued Ms. Higbee a non-resident producer license based on the fact that she held a license in her home state of Oregon.

4. On or about April 29, 2010, the division received a change form from Ms. Higbee requesting that her Alaska license be changed to a resident license. She listed her physical resident address as 283 Cranberry Street, Ketchikan, AK 99901. On this change form,

STATE OF ALASKA
DEPARTMENT OF COMMERCE, COMMUNITY, AND ECONOMIC DEVELOPMENT
DIVISION OF INSURANCE
550 WEST SEVENTH AVENUE, SUITE 1560
ANCHORAGE, ALASKA 99501-3567
PHONE: (907) 269-7900
FAX: (907) 269-7910
TDD: (907) 465-5437

1 she listed the effective date of the address change and residency change to Alaska as 7/20/2009
2 and certified to that fact, under penalty of perjury, on April 28, 2010. Exhibit B.

3 5. On or about May 26, 2010, after receiving the necessary fees, the
4 division changed Ms. Higbee's license to a resident producer license.
5

6 Count II

7 6. The division re-alleges and incorporates by reference paragraphs 1
8 through 5 above.

9 7. After phone conversations between Ms. Higbee and a division licensing
10 specialist in October and November, 2010 regarding an action against her license in Oregon, the
11 division obtained copies of a Stipulation and Final Order and cover letter in Case No. INS 10-
12 11-001 issued by the state of Oregon. These documents were received by the division on
13 December 3, 2010 and are attached as Exhibit C.

14 8. In the phone conversations, Ms. Higbee informed the division licensing
15 specialist that she had been told by Oregon personnel that the action was not reportable to other
16 states but the licensing specialist told her if she was unsure, she should provide the division
17 with whatever documentation she had. However, the Oregon action is listed on the National
18 Association of Insurance Commissioners' Regulatory Information Retrieval System (RIRS),
19 which means that the action is required to be reported under AS 21.27.025.
20

21 9. The Stipulation and Final Order states that Ms. Higbee made unsuitable
22 recommendations in life insurance or annuity transactions, in violation of Oregon law OAR
23 836-080-0090. As a result of these violations, Ms. Higbee signed her agreement to Oregon's
24 revocation of her expired resident insurance producer license in Oregon and further agreed to
25 never apply for any Oregon license authorized by ORS Chapter 744. The Final Order is dated
26 November 29, 2010.

Sanctions

10. The division re-alleges and incorporates by reference paragraphs 1 through 9 above.

11. As described in paragraphs 2 through 5, Ms. Higbee's certification that she was a resident of Oregon at the time she initially applied for an Alaskan non-resident license although she later certified that she had moved to Alaska before she applied for the Alaska non-resident license is a violation of AS 21.27.020(b)(4), 21.27.040(a) and (c), and 21.27.410(a)(1) and (3).

12. As described in paragraphs 7 through 9, Ms. Higbee's violations of Oregon law, which resulted in the permanent revocation of her Oregon license, are violations of AS 21.27.410(a)(8) and (11).

13. Ms. Higbee's violations as described above are grounds to revoke her license under AS 21.27.410(a) and 21.27.440.

WHEREFORE, the Division of Insurance proposes to revoke Ms. Higbee's individual producer license #81916.

DATED this 1st day of April, 2011 at Anchorage, Alaska.



Linda S. Hall
Director