

**BEFORE THE COMMISSIONER OF INSURANCE  
OF THE STATE OF KANSAS**

In the Matter of	)	
KANSAS NONRESIDENT	)	Docket No. 4089-SO
INSURANCE AGENT LICENSE OF	)	
<b>ARNOLD COHEN</b>	)	
NPN # 3203231	)	

**CONSENT ORDER**

Pursuant to the authority granted to the Commissioner of Insurance (“Commissioner”) by K.S.A. §40-4909 *et seq.*, and in accordance with K.S.A. §77-537, the Commissioner and the Respondent, Arnold Cohen (Respondent) and his counsel, Steven L. Imber and Jason L. Bush of Polsinelli Shughart, PC, hereby desire to resolve the above-captioned matter before the Commissioner without formal adjudication by entering into this Consent Order. This Consent Order shall become effective as a Final Order, without further notice, upon the expiration of the fifteen (15) day period if no request for a hearing is made, pursuant to K.S.A. §77-542.

**Findings of Fact**

The parties stipulate that if a hearing were conducted in this matter, the following evidence could be adduced by the Commissioner, and although neither admitted nor denied by Respondent, would be recognized as admissible to show the following:

1. Records maintained by the Kansas Insurance Department (“KID”) indicate Respondent is licensed as a nonresident agent to transact the business of insurance in the State of Kansas, and has been so licensed since October 12, 2007.
2. KID records further indicate a legal and mailing address 1239 E. Newport Center Drive, Suite 101, Deerfield Beach, FL 33442-7711.
3. The KID received a complaint from SJ that Mario Roca sold her a Golden Rule health policy that she thought contained maternity coverage. Mr. Roca was not licensed to sell

insurance in Kansas at the time and Respondent's name was on the application as the licensed broker responsible for the sale.

4. Respondent denies that he is responsible to SJ as he did nothing to further the sale of the health insurance sold by Mr. Roca to SJ.

5. Respondent has been a licensed agent in Kansas since October 12, 2007 and prior to this matter, had never received a consumer complaint in Kansas or been disciplined in Kansas or any other state in which he is a licensed producer.

6. The parties agree and stipulate that by agreeing to the entry of this Consent Order, Respondent in no way admits or concedes any actual or potential fault, wrongdoing or violation of law in connection with this matter, and Respondent expressly denies all such allegations of fault, wrongdoing, or violation of law.

#### **Applicable Law**

K.S.A. 40-4909(a)(12) forbids the accepting of insurance business from one who is not licensed to sell insurance;

K.S.A. 40-4909(a)(8) requires trustworthiness or financial responsibility;

K.S.A. 40-4909(a)(2)(A) allows the Commissioner to discipline a producer who violates any provision of chapter 40 of the Kansas Statutes or any rule or regulation promulgated thereunder.

Respondent specifically denies violating any of the above law.

#### **Conclusions of Law**

Based on the Findings of Fact enumerated above in Paragraphs #1 through #4 and the Applicable Law above, and an agreement of the parties to resolve the dispute:

#### **IT IS THEREFORE ORDERED BY THE COMMISSIONER OF INSURANCE:**

5. Arnold Cohen shall pay an administrative penalty of One Thousand Dollars (\$ 1,000.00) to resolve the disputed consumer complaint.

**NOTICE OF RIGHTS**

Arnold Cohen is entitled to a hearing pursuant to K.S.A. 77-537, the Kansas Administrative Procedure Act. If Respondent desires a hearing, the company must file a written request for a hearing with:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612

This request must be filed within fifteen (15) days from the date of service of this Order. If Respondent requests a hearing, the Kansas Insurance Department will notify the Respondent of the time and place of the hearing and information on the procedures, right of representation, and other rights of parties relating to the conduct of the hearing, before commencement of the same. If a hearing is not requested in the time and manner stated above, this Summary Order shall become effective as a Final Order upon the expiration of time for requesting a hearing, pursuant to K.S.A. 77-613. In the event Respondent files a petition for judicial review, pursuant to K.S.A. 77-613(e), the agency officer to be served on behalf of the Kansas Insurance Department is:

John W. Campbell, General Counsel  
Kansas Insurance Department  
420 S.W. 9th Street  
Topeka, Kansas 66612

**IT IS SO ORDERED THIS 16th DAY OF April, 2010, IN THE CITY OF TOPEKA, COUNTY OF SHAWNEE, STATE OF KANSAS.**



/s/ Sandy Praeger  
Sandy Praeger  
Commissioner of Insurance

BY:

/s/ John W. Campbell  
John W. Campbell  
General Counsel

**Stipulation**

The undersigned agrees to the above recitations as well as the resultant penalty on Arnold Cohen.

Arnold Cohen  
Mr. Arnold Cohen  
1239 E. Newport Center Dr.  
Suite 101  
Deerfield Beach, FL 33442-7711

**Certificate of Service**

The undersigned hereby certifies that above and foregoing Summary Order was served via the United States Postal Service, first-class postage prepaid, on this 16<sup>th</sup> day of April, 2010, addressed to the following:

Mr. Arnold Cohen  
1239 E. Newport Center Drive  
Suite 101  
Deerfield Beach, FL 33442-7711

and

Mr. Steven L. Imber  
Mr. Jason L. Bush  
6201 College Blvd. Suite 500  
Overland Park, KS 66211

/s/ John R. Dowell  
John R. Dowell  
Staff Attorney