

**STATE OF MAINE
DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION
BUREAU OF INSURANCE**

IN RE:

**PETE A. VERPLANCKEN
National Producer # 8603575**

Docket No. INS 06-200

**DECISION AND ORDER
REVOKING
INSURANCE ADJUSTER
LICENSE**

INTRODUCTION

1) This matter is before the Superintendent of Insurance, after notice and opportunity for hearing, pursuant to a Petition filed by the Staff of the Maine Bureau of Insurance, dated January 31, 2006, to DENY the pending application for nonresident insurance producer license filed by Pete A. Verplancken.

2) The Maine Insurance Code regulates persons who offer or sell insurance products in the State of Maine. The Superintendent of Insurance has jurisdiction over this matter pursuant to the Insurance Code generally, Title 24-A Maine Revised Statutes Annotated, and in particular, 24-A M.R.S.A. §§211, 220, 1417, and 1420-K.

FINDINGS OF FACT

3) Pete A. Verplancken is an applicant for licensing in Maine as a nonresident insurance producer. His National Producer Registry Number is 8603575.

4) Mr. Verplancken's business address of record is:

United Health Group
3645 Thirlane Road
Roanoke, VA 24019

5) The Bureau of Insurance received Mr. Verplancken's electronic application for producer licensing with Health authority in October, 2005.

6) Pursuant to a plea agreement entered into with the Commonwealth of Virginia dated October 24, 2005, Mr. Verplancken was convicted of Misdemeanor Embezzlement and sentenced to twelve months in jail with eleven months suspended. This matter is identified as Docket CR05-680 in the Circuit Court for the City of Roanoke.

7) The Bureau provided notice by U.S. Mail to Mr. Verplancken of the Petition to deny the application, and provided opportunity for hearing, directed to the above address on January 31, 2006 in accordance with the requirements of 24-A M.R.S.A. §213.

8) Mr. Verplancken has not requested a hearing on this matter, and the time period for the filing of any such request has expired.

CONCLUSIONS OF LAW

9) Under 24-A M.R.S.A. §1417 and §1420-K(1)(F), the Superintendent may, after notice and opportunity for hearing, refuse to issue a producer's license based upon a conviction in court of any offense under Title 5 M.R.S.A. §5301, which includes among the convictions for which such actions are authorized: "Convictions for which incarceration for less than one year may be imposed and which involve dishonesty or false statement."

10) Mr. Verplancken's misdemeanor conviction of Embezzlement constitutes a conviction for which incarceration for less than one year may be imposed which involves dishonesty, and the conviction occurred within the time limits established under 5 M.R.S.A. §5303.

11) Mr. Verplancken's misdemeanor conviction of Embezzlement establishes statutory grounds for denying his application for producer license under 24-A M.R.S.A. §1417 and §1420-K(1)(F).

ORDER DENYING LICENSE APPLICATION

The Superintendent of Insurance, after notice and opportunity for hearing, hereby **DENIES** the pending insurance producer license application of **Pete A. Verplancken**, based upon the grounds specifically stated in the above Findings of Fact and Conclusions of Law, in accordance with 24-A M.R.S.A. §1417 and 24-A M.R.S.A. §1420-K.

The effective date of this Order is March 9, 2006.

NOTICE OF APPEAL RIGHTS

This Decision and Order is a final agency action of the Superintendent of Insurance within the meaning of the Maine Administrative Procedures Act. It is appealable to the Superior Court in the manner provided in 24-A M.R.S.A. §236, 5 M.R.S.A. §11001, *et seq.*, and M.R.Civ.P. 80C. Any party to the proceeding may initiate an appeal within thirty (30) days after receiving this notice. Any aggrieved non-party whose interests are

substantially and directly affected by the Decision and Order may initiate an appeal within forty (40) days of the issuance of this Decision and Order. There is no automatic stay pending appeal; application for stay may be made in the manner provided in 5 M.R.S.A. §11004.

ALESSANDRO A. IUPPA
Superintendent, Maine Bureau of
Insurance