

**STATE OF MAINE
BUREAU OF INSURANCE**

IN RE:

DOUGLAS A. BEVINS
Maine License # PRN 148843
National Producer #9567327

CONSENT AGREEMENT

Docket No. INS-12-223

This document is a Consent Agreement authorized by Title 10 M.R.S. § 8003(5), entered into among Douglas A. Bevins, a resident of New Hampshire; the Superintendent of the Maine Bureau of Insurance; and the Maine Office of the Attorney General. Its purpose is to resolve, in lieu of an adjudicatory proceeding, violations of the Insurance Code for which the Superintendent may impose discipline pursuant to Title 24-A M.R.S. §1417(1) and §1420-K(1)(A).

STATEMENT OF FACTS

1. The Superintendent of Insurance is the official charged with administering and enforcing Maine's insurance laws and regulations, and the Bureau of Insurance is the administrative agency with such jurisdiction. The Superintendent has jurisdiction over this matter pursuant to the Insurance Code generally, Title 24-A, Maine Revised Statutes, in particular, 24-A M.R.S. §§ 12-A, 211, and 229, as well as other provisions.

2. Douglas A. Bevins has been licensed in Maine as a nonresident insurance producer since January 1, 2008. His Maine Producer Number is PRN 190179. His National Producer Number is 2313121.

3. Mr. Bevins was previously licensed in Maine to practice dentistry.

4. In October 2004, Mr. Bevins's license to practice dentistry was suspended pending resolution of a complaint filed against him. Following the presentation of that complaint to the Maine Board of Dental Examiners, Mr. Bevins agreed to the permanent revocation of his license to practice dentistry in a consent agreement dated November 11, 2004. In that consent agreement Mr. Bevins admitted to engaging in conduct that "falls below the standard of care and amounts to incompetence and/or unprofessional conduct," including inappropriately prescribing narcotic drugs to patients and engaging in sexual relationships with two female patients.

5. On April 12, 2004, Mr. Bevins applied to the New Hampshire Board of Dental Examiners for a license to practice dentistry. On October 6, 2005, following an

adjudicatory hearing, the New Hampshire Board of Dental Examiners issued a Decision and Order concluding, on the basis of the facts set forth in the Maine consent agreement and the testimony and evidence at hearing, that Mr. Bevins “does not possess sufficient competence and character to be issued a [dentistry] license.”

6. On December 31, 2007, Mr. Bevins applied for a Maine Nonresident Producer License. In completing the application, he answered “No” to the following background question on the uniform application:

Have you or any business in which you are or were an owner, partner, officer or director, or member or manager of limited liability company, ever been involved in an administrative proceeding regarding any professional or occupational license, or registration?

“Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, a cease and desist order, a prohibition order, a compliance order, placed on probation or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license. “Involved” also means having a license application denied or the act of withdrawing an application to avoid a denial. You may EXCLUDE terminations due solely to noncompliance with continuing education requirements or failure to pay a renewal fee.

7. The application included Mr. Bevins’s “Certification and Attestation” with the statement:

“I hereby certify that, under penalty of perjury, all of the information submitted in this application and attachments is true and complete. I am aware that submitting false information or omitting pertinent or material information in connection with this application is grounds for license revocation or denial of the license and may subject me to civil or criminal penalties.”

8. Staff of the Maine Bureau of Insurance approved Mr. Bevins’s application and issued the producer license.

9. In June 2012, Bureau staff independently learned of the administrative proceeding resulting in Mr. Bevins's 2004 consent agreement with the Maine Board of Dental Examiners. Upon further investigation, Bureau staff learned of the administrative proceeding resulting in the 2005 decision by the New Hampshire Board of Dental Examiners to deny Mr. Bevins's application for a dental license.

APPLICABLE LAW

10. Pursuant to 24-A M.R.S. § 1420-K(1)(H), the superintendent may revoke an insurance producer's license for demonstrating incompetence or untrustworthiness in the conduct of business in this State or elsewhere.

11. Pursuant to 24-A M.R.S. § 1420-K(1)(A), the superintendent may revoke an insurance producer's license for providing incorrect, misleading, incomplete or materially untrue information in the license application.

12. Pursuant to 24-A M.R.S. § 1420-K(1)(C), the superintendent may revoke an insurance producer's license for obtaining a license through misrepresentation or fraud.

CONCLUSIONS OF LAW

13. The facts admitted by Mr. Bevins in the November 11, 2004 consent agreement with the Maine Board of Dental Examiners constitute a basis for revocation of his producer's license pursuant to 24-A M.R.S. § 1420-K(1)(H).

14. Mr. Bevins violated 24-A M.R.S. § 1420-K(1)(A) and (C) by failing to disclose on his December 31, 2007 application for nonresident producer licensing the administrative proceeding resulting in the November 11, 2004 Consent Agreement with the Maine Board of Dental Examiners.

15. Mr. Bevins violated 24-A M.R.S. § 1420-K(1)(A) and (C) by failing to disclose on his December 31, 2007 application for nonresident producer licensing the administrative proceeding resulting in the October 6, 2005 Decision and Order by the New Hampshire Board of Dental Examiners denying Mr. Bevins's license application.

COVENANTS

16. Douglas A. Bevins, the Maine Superintendent of Insurance, and the Maine Office of the Attorney General agree to the following:

17. This Consent Agreement is entered into in accordance with 10 M.R.S. § 8003(5)(B). This Consent Agreement is enforceable by an action in the Superior Court.

18. This Consent Agreement is not subject to appeal. Mr. Bevins waives any further hearings or appeals regarding the matters that are the subject of this Consent Agreement.

19. Mr. Bevins agrees that, as a disciplinary sanction, his Maine producer license, PRN 190179, is hereby revoked. Any future application for relicensing by Mr. Bevins is subject to the requirements of 24-A M.R.S. § 1418.

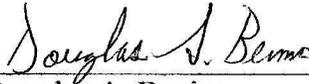
20. Mr. Bevins understands and acknowledges that this Agreement will constitute a public record within the meaning of 1 M.R.S. § 402, and will be available for public inspection and copying as provided for by 1 M.R.S. § 408, and will be reported to the NAIC "RIRS" database.

21. In consideration of the licensee's execution of and compliance with the terms of this Consent Agreement, the Superintendent of Insurance, the Bureau of Insurance, and Office of the Attorney General agree to forego pursuing any and all further disciplinary measures or other civil or administrative sanctions that may be available under the Maine Insurance Code for the specific conduct described in this Consent Agreement, other than those agreed to herein. However, should Mr. Bevins violate this Consent Agreement, he may be subject to any available legal remedy for the violation, including without limitation the suspension or revocation of all licenses issued under the Maine Insurance Code.

22. Nothing in this Agreement shall affect the rights or interests of any person who is not a party to this Agreement.

Douglas A. Bevins

Dated: 11/20/2012, _____



Douglas A. Bevins

THE MAINE SUPERINTENDENT OF INSURANCE

Dated: November 28, 2012



Eric A. Cloppa, Superintendent

FOR THE OFFICE OF THE ATTORNEY GENERAL

Dated: 11/26/ 2012


Assistant Attorney General

Jonathan R. Bolton