

BEFORE THE STATE OF WASHINGTON  
OFFICE OF INSURANCE COMMISSIONER

**FILED**

2016 AUG 17 A 9:07

In the Matter of:

**Insurance Training Associates LLC,**

Continuing Insurance Education Provider.

Docket No. 16-0166

HEARINGS UNIT  
OFFICE OF  
**NOTICE OF HEARING**  
INSURANCE COMMISSIONER

**TO:** Douglas Harness, Founder  
Rex Winder, Director of Education  
Insurance Training Associates, LLC  
4504 SW Corbett Avenue, Suite 200  
Portland, OR 97239

**COPY TO:** Mike Kreidler, Insurance Commissioner  
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner  
Doug Hartz, Deputy Commissioner, Company Supervision Division  
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
Marcia Stickler, Insurance Enforcement Specialist, Legal Affairs Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

This Notice is provided pursuant to RCW 48.04.010 and RCW 34.05.434.

On July 6, 2016, Marcia Stickler, Insurance Enforcement Specialist of the Office of Insurance Commissioner ("OIC") sent a Proposed Consent Order Levying a Fine to Insurance Training Associates LLC ("ITA"). In a letter received by the undersigned on August 1, 2016, Rex Winder, Director of Education of ITA, requested an administrative hearing to contest the proposed fine.

ITA is an approved insurance continuing education provider, located in Portland Oregon, and offers course in Oregon, while aware that insurance producers that operate in the state of Washington ("Washington producers") attend some of its courses. The OIC alleges ITA did the following:

- ITA submitted rosters to the OIC, and issued certificates for continuing education credit for two Washington producers that signed out of a class 45 minutes early;
- ITA issued continuing education credit for two Washington producers that did not sign an attendance register;
- ITA submitted a roster for a Washington producer that had signed an Oregon attendance register that did not meet OIC requirements; and

- ITA failed to maintain records of exams completed by Washington producers.

The OIC asserts these are violations of WAC 284-17-272, -273, -277, -281, -302, -304, and -306. The OIC seeks to impose a fine of \$1,200 fine against ITA per RCW 48.17.560 and WAC 284-17-302.

On August 16, 2016, the undersigned held a first prehearing conference. Marcia Stickler, Insurance Enforcement Specialist of the OIC's Legal Affairs Division, appeared on behalf of the OIC. Douglas Harness, founder of ITA, appeared on behalf of ITA.

After considering the views of the parties, I enter the following Order:

**A hearing will be held at the Office of the Insurance Commissioner, 5000 Capitol Blvd., Tumwater, WA, beginning on Friday, September 16, 2016, at 10:00 a.m, Pacific Standard Time.** The hearing is expected to require less than one day, but will continue until completed. The purpose of the hearing is to consider whether a fine should be levied against ITA for alleged violations of WAC 284-17-272, -273, -277, -281, -302, -304, and -306 outlined above.

By close of business on **September 9, 2016**, the parties shall exchange copies of witness and exhibit lists, briefs and any other documents they expect to offer into evidence at the evidentiary hearing. Any witness and exhibit lists, briefs and documents so provided should also be provided to the Hearings Unit at the address below.

The hearing will be governed by the Administrative Procedure Act, Chapter 34.05 RCW, and the model rules of procedure contained in Chapter 10-08 WAC. All parties may be represented and may examine witnesses, respond, and present evidence and argument on all relevant issues.

A party who fails to attend or participate in the hearing or another stage of this proceeding may be held in default in accordance with Chapter 34.05 RCW. *See* RCW 34.05.434(2)(i).

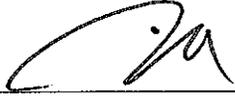
William Pardee, Presiding Officer, has been designated by the Insurance Commissioner to hear and determine this matter. The hearing will be held under the authority granted by the Insurance Commissioner under Chapter 48.04 RCW.

Pursuant to WAC 284-02-070(1)(c), accommodation will be made for persons needing assistance due to difficulty with language or disability. Further, pursuant to WAC 10-08-040(2) and in accordance with Ch. 2.42 RCW, if a limited English speaking, hearing impaired, or speech impaired party or witness needs an interpreter, a qualified interpreter will be appointed. There will be no cost to the party or witness therefore, except as may be provided by Ch. 2.42 RCW. A Request for Accommodation form, with instructions, is attached to the original of this Notice.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255. All interested individuals and entities who have questions or concerns concerning this proceeding should direct

them to the Hearings Unit paralegal, Dorothy Seabourne-Taylor, at the same address. Ms. Seabourne-Taylor's telephone number is (360) 725-7002.

Dated: August 17, 2016



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WILLIAM PARDEE  
Presiding Officer

CERTIFICATE OF SERVICE

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be filed and served the foregoing Notice of Hearing on the following people at their addresses listed below:

Douglas Harness, Founder  
Rex Winder, Director of Education  
Insurance Training Associates, LLC  
4504 SW Corbett Avenue, Suite 200  
Portland, OR 97239

Mike Kreidler, Insurance Commissioner  
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner  
Doug Hartz, Deputy Commissioner, Company Supervision Division  
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division  
Marcia Stickler, Insurance Enforcement Specialist, Legal Affairs Division  
Office of the Insurance Commissioner  
PO Box 40255  
Olympia, WA 98504-0255

Dated this 17<sup>th</sup> day of August, 2016, in Tumwater, Washington.

  
Dorothy Seabourne-Taylor  
Paralegal  
Hearings Unit

**OFFICE OF INSURANCE COMMISSIONER**

**HEARINGS UNIT**

Fax: (360) 664-2782

To request an interpreter, complete and mail this form to:

Presiding Officer  
Hearings Unit  
Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

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**REQUEST FOR ACCOMMODATION FOR LANGUAGE OR DISABILITY**

I am a party in Matter No.16-0166 before the Insurance Commissioner.

I request accommodation for the following disability (insert your disability):

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I request an interpreter for myself or a witness who will be testifying at the evidentiary hearing.

Please check the statements that apply:

I am a non-English-speaking person and cannot readily speak or understand the English language. My primary language is \_\_\_\_\_ (insert your primary language). I need an interpreter who can translate to and from the primary language and English.

I am unable to readily understand or communicate the spoken English language because:

- I am deaf.
- I have an impairment of hearing.
- I have an impairment of speech.

[Please state below or on the reverse side any details which would assist the Commissioner or Presiding Officer in arranging for a suitable accommodation for your disability, an interpreter or in providing appropriate mechanical or electronic amplification, viewing, or communication equipment.]

Date: \_\_\_\_\_

Signed: \_\_\_\_\_

Please print or type your name: \_\_\_\_\_

Address: \_\_\_\_\_

Telephone: \_\_\_\_\_