



**SOUTH DAKOTA
DEPT. OF LABOR
& REGULATION**

DIVISION OF INSURANCE

Tel: 605.773.3563 | Fax: 605.773.5369

dlr.sd.gov/insurance

August 8, 2019

SENT VIA CERTIFIED MAIL AND FIRST-CLASS MAIL

Richard Simmons
1987 Basston Dr.
Maryland Heights, MO 63146

7019 0700 0000 9717 3816

RE: Application for Insurance Producer License/Denial

This letter is to notify you that your application for licensure as a nonresident insurance producer in South Dakota has been denied. The reason for the denial is as follows:

You applied for an individual nonresident insurance producer license to the South Dakota Division of Insurance ("Division") on May 22, 2019. You answered "YES" to questions 1A and 1B, indicating that you have been convicted/plead guilty to a misdemeanor and felony. You provided documentation showing that in 2004 you were charged with and convicted of a felony level offense for possession, delivery, or manufacturing of a controlled substance and in 2005 you were charged with and convicted of a misdemeanor offense for consumption of Alcohol by a minor.

Due to your criminal history, the Division wrote to you on May 24, 2019 via regular and email asking for an explanation of the two incidents. Having failed to receive a response, the Division sent you a cite letter via certified mail on June 24, 2019 again asking for a written explanation for your convictions and informing you that you had violated SDCL 58-33-66 by failing to respond to the first letter within 20 days. Having again failed to receive a response, the Division called and spoke to you on July 19, 2019 and informed you that a response to the two previous letters was required by no later than July 26, 2019. As of the date of this letter, the Division still has not received a response from you and there has been no explanation for your lack of communication with the Division.

Based on the above information, your application is denied because you have been determined not to be in good standing under ARSD 20:06:01:03 and for violating SDCL 58-30-167(2), violating the insurance laws or rules of South Dakota or any other state; and for violating SDCL 58-30-167(6) for having been convicted of a felony and for violating SDCL 58-30-167(8) for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere.

Please note that this denial is considered an administrative action which will be reported to the database maintained by the National Association of Insurance Commissioners. If an administrative action occurs, an insurance producer may be required to report the action to all states in which an insurance license is held and in accordance with the timeframes and requirements of each state.

Pursuant to SDCL § 58-30-168, you may make a written request to the Division of Insurance within thirty (30) days of the date of this denial for a hearing to determine the reasonableness of this decision to deny your application for licensure.

Sincerely,

A handwritten signature in black ink that reads "Daniel R. Nelson". The signature is written in a cursive style with a large, prominent initial "D".

Daniel R. Nelson, Assistant Director
South Dakota Division of Insurance
Department of Labor and Regulation

Cc: Richard.simmons.129393@uhc.com