SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION
DIVISION OF INSURANCE

IN THE MATTER OF	)	
GINA BRIDGES	)	**FINAL DECISION**
	)	**INS 24-17**

After reviewing the record and the proposed order of the Hearing Examiner in this matter,

IT IS HEREBY ORDERED that pursuant to SDCL 1-26D-4, the Hearing Examiner's Proposed Findings of Fact, Conclusions of Law and Proposed Order, dated June 10, 2024 is adopted in full.

IT IS FURTHER ORDERED that the South Dakota Non-resident Insurance Producer License of the respondent will hereby be revoked.

Parties are hereby advised of the right to further appeal the final decision to Circuit Court within (30) days of receiving such decision, pursuant to the authority of SDCL 1-26.

Dated this 9th day of July, 2024.

M. Hultman

Marcia Hultman, Secretary
South Dakota Department of Labor and Regulation
700 Governors Drive
Pierre, SD 57501

STATE OF SOUTH DAKOTA
OFFICE OF HEARING EXAMINERS

IN THE MATTER OF
GINA BRIDGES

INS 24-17
PROPOSED DECISION

This matter came for hearing before the Office of Hearing Examiners on May 23, 2024, pursuant to a Notice of Hearing issued by the South Dakota Division of Insurance ("Division") on April 10, 2024. Clayton Grueb appeared as counsel for the Division. GINA BRIDGES did not appear, either in person or through counsel. The Division admitted its Exhibits 1 through 5 into evidence and moved that the Hearing Examiner enter these Proposed Findings of Fact, Conclusions of Law, and Proposed Decision as a default disposition to this contested case.

ISSUE

Whether the Non-Resident Insurance Producer License of GINA BRIDGES should be revoked due to demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere and for proving incorrect information on an application, in violation of SDCL §§ 58-30-167(1) and (8).

FINDINGS OF FACT

1. GINA BRIDGES was licensed by the Division as an insurance producer and the license is currently active. (Exhibit 1).

2. GINA BRIDGES was terminated for-cause from an insurer. (Exhibits 2-3).

3. The Division sent inquiries to GINA BRIDGES at the address of record regarding licensure matters. (Exhibit 4-5).

4. GINA BRIDGES did not respond to the Division's inquiries. (Exhibit 4-5).

5. Any additional Findings of Fact included in the Reasoning section of this decision are incorporated herein by reference.

6. To the extent any of the foregoing are improperly designated and are instead conclusions of law, they are hereby redesignated and incorporated herein as conclusions of law.

REASONING

This case involves a request by the Division to revoke the South Dakota Non-Resident Insurance Producer's License of GINA BRIDGES. As a consequence of the potential loss of Respondent's livelihood from the lack of licensure, the burden of proof in this matter is higher than the preponderance of evidence standard, which applies in a typical administrative hearing. "In matters concerning the revocation of a professional license, we determine that the appropriate standard of proof to be utilized by an agency is clear and convincing evidence." *In re Zar*, 434 N.W.2d 598, 602 (S.D. 1989). Our Supreme Court has defined "clear and convincing evidence" as follows:

> The measure of proof required by this designation falls somewhere between the rule in ordinary civil cases and the requirement of our criminal procedure, that is, it must be more than a mere preponderance but not beyond a reasonable doubt. It is that measure or degree of proof which will produce in the mind of the trier of facts a firm belief or conviction as to the allegations sought to be established. The evidence need not be voluminous or undisputed to accomplish this.

Brown v. Warner, 78 S.D. 647, 653, 107 NW2d 1, 4 (1961).

SDCL 58-30-193 states that "[A]n insurance producer shall report to the director any administrative action taken against the insurance producer in another jurisdiction... within thirty days of the final disposition of the matter. This report shall include a copy of the order, consent order, or other relevant legal documents." SDCL 58-33-66(1) requires GINA BRIDGES to respond to the Division and supply requested documents within twenty days from the receipt of a request. In addition, the Division considers SDCL 58-30-167 (shown in pertinent part) as follows:

> The director may... revoke or refuse to continue, any license issued under this chapter... after a hearing... The director may... revoke... an insurance producer's... for any one or more of the following causes:
>
> (1) Providing incorrect, misleading, incomplete, or materially untrue information in the license application
>
> (2) Violating any insurance laws or rules, subpoena, or order of the director or of another state's insurance director, commissioner, or superintendent;
>
> (8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state or elsewhere;

The evidence indicates that GINA BRIDGES violated the insurance laws of another jurisdiction and provided incorrect, misleading, incomplete, or materially untrue information to the Division. The evidence further indicates that GINA BRIDGES used fraudulent, coercive, or dishonest practices, or demonstrated incompetence or untrustworthiness in the conduct of his business. Applying the law to the Findings of Fact it is clear the Non-Resident

Insurance Producer License of GINA BRIDGES is subject to revocation and should be revoked.

CONCLUSIONS OF LAW

1. The Division has jurisdiction over GINA BRIDGES and the subject matter of this contested case. The Office of Hearing Examiners is authorized to conduct the hearing and issue a proposed decision pursuant to SDCL 1-26D-4.

2. The Division bears the burden of establishing the alleged statutory violations by clear and convincing evidence.

3. The Division established by clear and convincing evidence that the South Dakota Non-Resident Insurance Producer License of GINA BRIDGES is subject to revocation pursuant to SDCL§ 58-33-167(1),(2),and (8).

4. Any additional Conclusions of Law included in the Reasoning section of this decision are incorporated herein by reference.

5. To the extent any of the foregoing are improperly designated and are instead findings of fact, they are hereby redesignated and incorporated herein as Findings of Fact.

Based on the above Findings of Fact, Reasoning, and Conclusions of Law, the Hearing Examiner enters the following:

PROPOSED DECISION

The South Dakota Non-Resident Insurance Producer License of GINA BRIDGES should be revoked.

Dated this 10th day of June, 2024.

Catherine Williamson, Hearing Examiner
Office of Hearing Examiners
523 East Capitol Avenue
Pierre, SD 57501

CERTIFICATE OF SERVICE

I certify on June 10, 2024, at Pierre, South Dakota, a true and correct copy of this Proposed Decision was mailed to each of the parties below.

Office of Hearing Examiners

GINA BRIDGES
6419 Luglio Ln Unit, 103
San Antonio, TX 78233

GINA BRIDGES
9800 Fredericksburg Rd
San Antonio, TX 78288-0001

Clayton Grueb
Division of Insurance
2330 N. Maple Ave, Suite 1
Rapid City, SD 57701

STATE OF SOUTH DAKOTA
DEPARTMENT OF LABOR AND REGULATION

IN THE MATTER OF
GINA BRIDGES

INS 24-17

NOTICE OF ENTRY OF PROPOSED
FINDINGS OF FACT, CONCLUSION OF LAW,
AND DECISION AND FINAL DECISION

NOTICE IS HEREBY GIVEN, that attached hereto, is a true and correct copy of the Proposed Findings of Fact, Conclusions of Law, and Decision, and Final Decision entered by Marcia Hultman, Secretary of the South Dakota Department of Labor and Regulation, on July 9, 2024.

Dated this 29th day of June, 2024.

Clayton Grueb
Legal Counsel
South Dakota Division of Insurance
2330 N. Maple Ave. Suite 1
Rapid City, SD 57701
(605) 394-3396