

BEFORE THE NEW MEXICO OFFICE OF SUPERINTENDENT OF INSURANCE

IN THE MATTER OF)	
DANIELLE AUDRIENNE HARPER,)	
NPN 19279550,)	DOCKET NO. 2022-0082
)	
Respondent.)	
<hr/>)	

NOTICE AND ORDER OF LICENSE REVOCATION

NOTICE IS HEREBY GIVEN that the Producer Licensing Bureau (“PLB”) of the Office of Superintendent of Insurance (“OSI”) recommends revocation of Danielle Audrienne Harper’s (“Respondent”) resident insurance producer license.

PRELIMINARY FINDINGS

1. Section 40-5A-6 of the Parental Responsibility Act [40-5A-1 to 40-5A-13 NMSA 1978] provides as follows:

The failure of a licensee to be in compliance with a judgment and order for support or subpoena or warrants relating to paternity or child support proceedings is grounds for suspension or revocation of a license. The proceeding shall be conducted by a board or the administrative hearings office pursuant to the law governing suspension and revocation proceedings for the license.

The OSI constitutes a board as that term is defined in Section 40-5A-3(B) of the Parental Responsibility Act.

2. Pursuant to NMSA 1978, § 59A-11-14(A)(13), the OSI may revoke a license issued under Chapter 59A, Article 11 NMSA 1978 for the failure to comply with an administrative or court order imposing a child support obligation.

3. As required by Section 40-5A-9 the Parental Responsibility Act, the OSI enacted 13.4.6, NMAC. Rule 13.4.6 applies to all persons who are required to have a license issued by the OSI before engaging in the business of insurance. *See* 13.4.6.2 NMAC.

4. The OSI issued Respondent a New Mexico resident insurance producer license ("license") NPN 19279550. The New Mexico Human Services Department ("HSD") certified to the OSI that the Respondent is an individual who is not in compliance with an order of child support. In accordance with 13.4.6.10 NMAC, the PLB notified the Respondent by emailed letter on July 12, 2022, that the Respondent must provide the PLB with a statement of compliance within 30 days of mailing the notification. The letter further advised the Respondent that the failure to timely provide the statement of compliance shall result in the commencement of a formal proceeding for license revocation under 13.4.6.11 NMAC. Respondent failed to provide the statement of compliance despite being advised again by emailed letter on September 30, 2022. *See Exhibit A.*

5. 13.4.6.11 NMAC provides that the OSI shall file and serve upon a licensee who has failed to provide the requested statement of compliance a notice and order of license revocation in accordance with the procedures listed in 13.4.6.14 NMAC. If the revocation is due solely to the licensee's failure to comply with a judgment and order for support, the notice and order of revocation shall state the grounds for the proposed action and that the action to revoke will become final and not subject to review or appeal ninety days after mailing the notice and order unless, on or before the 90-day deadline, the Respondent licensee files a request for hearing in the docket briefly stating the respects in which the Respondent is so aggrieved, the relief to be sought and the grounds to be relied upon as a basis for relief; or, alternatively, provides the OSI with a statement of compliance.

PRELIMINARY CONCLUSIONS

6. The OSI makes the Preliminary Conclusions set out in this Order because the OSI has probable cause to believe that Respondents' actions or inactions as described herein constitute

a violation of the Parental Responsibility Act, or other applicable laws that are subject to enforcement by the OSI. These Preliminary Conclusions are made after due inquiry and upon reasonable belief. After further development of the record in this case the PLB or the OSI may modify, delete, or add to any of these Preliminary Conclusions.

7. The OSI has jurisdiction over the Respondent pursuant to §§ 59A-2-1(B) and 59A-2-8(A)(3), NMSA 1978.

8. The Respondent is not in compliance with a judgment and order for support relating to paternity or child support proceedings and has failed to provide the PLB with the requested statement of compliance within the required time-period. The Respondent's actions or inactions as described herein constitute grounds for the revocation of Respondent's resident insurance producer license.

IT IS THEREFORE ORDERED:

A. Based upon the Preliminary Findings and Preliminary Conclusions set forth in this Order, the Respondent's New Mexico nonresident insurance producer license NPN 19279550 is conditionally revoked.

B. The Order to revoke will become final and not subject to review or appeal 90 days after the mailing of this Notice and Order unless, on or before the 90-day deadline, the

Respondent:

- (1) files a request for hearing in the docket briefly stating the respects in which the applicant is so aggrieved, the relief to be sought and the grounds to be relied upon as a basis for relief; or
- (2) provides the PLB with a statement of compliance.

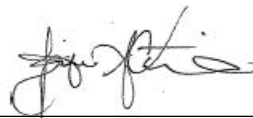
Should Respondent wish to contest this Order, Respondent must submit a written request for a formal hearing pursuant to 13.1.5.9 NMAC hearing within 90 days of this Notice. The hearing

request must be submitted through the OSI eDocket system, <https://edocket.osi.state.nm.us/home>, and filed under the docket number for this case. For help filing documents with OSI Records/Docketing, parties may call (505) 827-4499 or email OSI-docketfiling@state.nm.us. Properly filed pleadings or other documents are the responsibility of the party making the filing. (Note: The OSI eDocket system requires an initial registration step before documents can be submitted for filing. Once registered, the filer needs to notify the OSI Records/Docketing Office by an email to OSI-docketfiling@state.nm.us to request approval as a filer for this case.)

If no hearing is timely requested, on the 91st day from the date of this Notice, or the Respondent fails to provide the PLB with a statement of compliance within that time frame, a Final Order of Revocation will be issued and the docket may be closed without further action. Such an Order will constitute an administrative action that requires disclosure on all future insurance licensing applications.

If a hearing is requested but the Respondent fails to appear on the day and time set for hearing, without further notice to the Respondent, a Final Order of Revocation may be granted by default, and the docket may be closed without further action. Such an Order will constitute an administrative action that requires disclosure on all future insurance licensing applications.

DATED this 19th day of October, 2022.



Jennifer A. Catechis, Deputy Superintendent
NM Office of Superintendent of Insurance

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 19th day of October 2022, I filed the foregoing *Notice of Contemplated Action* through the OSI's e-filing system, <https://edocket.osi.state.nm.us/home>, which caused the individuals indicated below to be served by electronic means.

1. Danielle A. Harper
6090 Zenith Ct., NE
Rio Rancho, NM 87144
Audrie1980@unm.edu
Respondent
2. Russell Toal, Superintendent
NM Office of Superintendent of Insurance
Russell.Toal@state.nm.us
3. Jennifer A. Catechis, Deputy Superintendent
NM Office of Superintendent of Insurance
Jennifer.Catechis@state.nm.us
4. Stephen Thies, Legal Counsel
Office of Superintendent of Insurance
Stephen.Thies2@state.nm.us



Freya Joshi, OSI Law Clerk

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE

Russell Toal



DEPUTY SUPERINTENDENT

Jennifer A. Catechis

Sent Via Email: audrie1980@unm.edu

July 12, 2022

Danielle Audrienne Harper
1902 BUENA VISTA DR SE
APT A
ALBUQUERQUE, NM 87106

**Re: Notice of Noncompliance with Parental Responsibility Act
Agent License No. 19279550**

Dear Danielle Harper

Your name appears on the certified list from the New Mexico Human Services Department (HSD) that identifies you as being in violation of a judgement and order to pay child support.

Under the New Mexico Parental Responsibility Act, NMSA 1978 40-5A-1 et seq., and pursuant to Section 13.4.6.10 of the New Mexico Administrative Code (NMAC), the Office of Superintendent of Insurance (OSI) may suspend, revoke, or refuse to renew your license if you are in arrears on a child support obligation.

Please be advised that you have thirty (30) days from the date of this letter to provide documentation in the form of a Certificate of Compliance from HSD. If you do not respond to this letter within thirty (30) days, the OSI will take formal action to suspend or revoke your license by issuing a Notice and Revocation Order against you pursuant to Section 13.4.6.11 NMAC.

If you would like to submit your Certificate of Compliance from HSD to our office, please email it to agents.licensing@state.nm.us.

If you wish to comply with this requirement of the Parental Responsibility Act, or to contest the determination of non-compliance, please contact HSD's Child Support Enforcement Division at 1-800-288-7207.

If you have any questions, please do not hesitate to contact us at (855) 4-ASK-OSI.

Sincerely,

Producer Licensing Bureau

Main Office: 1120 Paseo de Peralta, Room 428, Santa Fe, NM 87501
Satellite Office: 6200 Uptown Blvd NE, Suite 400, Albuquerque, NM 87110
Main Phone: (505) 827-4601 | Toll Free: (855) 4 - ASK - OSI
www.osi.state.nm.us

STATE OF NEW MEXICO
OFFICE OF SUPERINTENDENT OF INSURANCE

SUPERINTENDENT OF INSURANCE

Russell Toal



DEPUTY SUPERINTENDENT

Jennifer A. Catechis

Sent Via Email: audrie1980@unm.edu

September 30, 2022

Danielle Audrienne Harper
1902 BUENA VISTA DR SE
APT A
ALBUQUERQUE, NM 87106

**Re: Notice of Noncompliance with Parental Responsibility Act
Agent License No. 19279550**

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