



# 2021-7082

Commissioner's Order  
Kristen Elizabeth Rogers  
SOAH Docket No. 454-21-1148  
Page 2 of 5

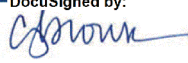
4. After receiving proper notice of the date, time, and location of the hearing on the merits, Respondent failed to appear for the hearing on October 20, 2021, as shown in the record in SOAH Docket No. 454-21-1148.

## Conclusions of Law

1. The commissioner has jurisdiction pursuant to Texas law, including TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, and 4054.051; and TEX. GOV'T CODE §§ 2001.051–2001.178.
2. The commissioner has authority to dispose of this case informally pursuant to TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89.
3. The department provided proper notice of the hearing pursuant to TEX. GOV'T CODE §§ 2001.051, 2001.052, and 2001.054, and 28 TEX. ADMIN. CODE §§ 1.28, 1.88, 1.89, and 19.906.
4. Based on Respondent's failure to appear in person or by legal representative at the hearing, the department is entitled to disposition by default pursuant to 28 TEX. ADMIN. CODE §§ 1.88 and 1.89.
5. The department's factual and legal allegations set out in the attached Notice of Hearing and Original Petition are incorporated in this order and deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.

## Order

It is ordered that any licenses held by Kristen Elizabeth Rogers are revoked. A copy of this order will be provided to law enforcement or other appropriate administrative agencies for further investigation as may be warranted.

DocuSigned by:  
  
FC5D7EDDFB4F8...

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Cassie Brown  
Commissioner of Insurance

## **2021-7082**

Commissioner's Order

Kristen Elizabeth Rogers

SOAH Docket No. 454-21-1148

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Prepared and reviewed by:

/s/ Casey Seeboth

Casey Seeboth, Staff Attorney

Enforcement Division

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## Affidavit

**STATE OF TEXAS** §

§

**COUNTY OF TRAVIS** §


Before me, the undersigned authority, personally appeared David Moreno, who, being by me duly sworn, deposed as follows:

"My name is David Moreno and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Kristen Elizabeth Rogers. I have confirmed that:

- a. The last mailing address provided to the department in writing by Kristen Elizabeth Rogers is [REDACTED] Birmingham, Alabama 35209.
- b. The file maintained by the Enforcement Division contains a Notice of Hearing and Original Petition dated January 25, 2021, which were filed with the State Office of Administrative Hearings.
- c. On January 25, 2021, the Notice of Hearing and Original Petition addressed to Kristen Elizabeth Rogers were mailed certified, return receipt requested, to her last known address and sent to an email address associated with her.

Copies of the certified mail log maintained by the Enforcement Division is attached as Exhibit C."

DocuSigned by:  
  
46C05C02AA7B47B... \_\_\_\_\_

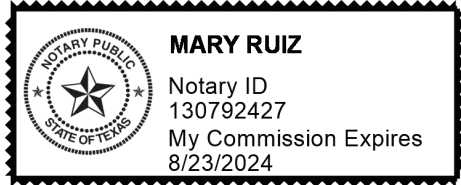
Affiant

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SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 10/29/2021. This notarial act was an online notarization.

## Notary Seal



## Digital Certificate

DocuSigned by:  
*Mary Ruiz*  
795DC4D59167489...  
\_\_\_\_\_  
Notary Public State of Texas

ACCEPTED **2021-7082**  
454-21-1148  
01/25/2021 9:00 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

FILED  
454-21-1148  
1/25/2021 8:44 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Donnie Roland, CLERK

**SOAH DOCKET NO. 454-21-1148**  
**TDI ENFORCEMENT FILE NOS. 18608 and 18988**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**KRISTEN ELIZABETH ROGERS and  
SENIOR CARE SERVICES, LLC,**

**ADMINISTRATIVE HEARINGS**

**Respondents**

**NOTICE OF HEARING**

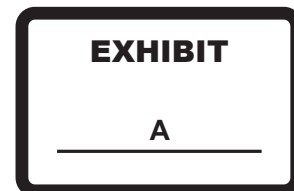
The Texas Department of Insurance seeks to take disciplinary action against you. This Notice of Hearing and the Original Petition, which is attached and incorporated for all purposes, states the allegations against you and the relief sought by the Department.

A public hearing will be held before an Administrative Law Judge on **Tuesday, April 13, 2021 at 9:00 a.m.** The hearing will take place by telephone or videoconference using a videoconference platform controlled by the State Office of Administrative Hearings, unless otherwise ordered to proceed in another manner by the Administrative Law Judge.

The hearing shall be conducted pursuant to TEX. GOV'T CODE, ch. 2001 and 1 TEX. ADMIN. CODE, ch. 155. Unless otherwise directed by the Administrative Law Judge, the hearing shall continue from day to day in the offices of the State Office of Administrative Hearings until concluded. You have the right to appear at this hearing and to be represented by an attorney.

**Parties that are not represented by an attorney may obtain information regarding contested case hearings on the public website of the State Office of Administrative Hearings at [www.soah.texas.gov](http://www.soah.texas.gov), or in printed format upon request to SOAH.**

**YOU MUST FILE A WRITTEN RESPONSE TO THE NOTICE OF HEARING WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS WITHIN 20 DAYS OF THE DATE THE NOTICE OF HEARING WAS MAILED. FAILURE TO FILE A WRITTEN RESPONSE BY THIS DEADLINE SHALL ENTITLE TDI TO SEEK DISPOSITION BY DEFAULT PURSUANT TO 1 TEX. ADMIN. CODE § 155.501 AND 28 TEX. ADMIN. CODE §§ 1.88 AND 1.89.**



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Notice of Hearing

Kristen Elizabeth Rogers and Senior Care Services, LLC

SOAH Docket No. 454-21-1148

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**IF YOU FAIL TO FILE A WRITTEN RESPONSE, THE SCHEDULED HEARING CAN BE CANCELED AND WITHOUT FURTHER NOTICE TO YOU THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, IS GRANTED BY DEFAULT.**

**IF YOU FILE A WRITTEN RESPONSE BUT THEN FAIL TO APPEAR ON THE DAY AND TIME SET FOR HEARING, WITHOUT FURTHER NOTICE TO YOU, THE COMMISSIONER OF INSURANCE CAN ISSUE AN ORDER IN WHICH THE ALLEGATIONS IN THE NOTICE OF HEARING ARE DEEMED ADMITTED AS TRUE AND THE RELIEF SOUGHT IN THE NOTICE OF HEARING, INCLUDING REVOCATION OF YOUR LICENSE, ISSUANCE OF A CEASE AND DESIST ORDER, IMPOSITION OF ADMINISTRATIVE PENALTIES, AND/OR PAYMENT OF RESTITUTION, IS GRANTED BY DEFAULT.**

In accord with 28 TEX. ADMIN. CODE § 1.90(e) and 1 TEX. ADMIN. CODE §§ 155.101 and 155.103, you should send copies of your written response to:

- (1) Docketing Division  
State Office of Administrative Hearings  
300 West 15th Street, Room 504  
P.O. Box 13025  
Austin, Texas 78711-3025  
(512) 322-2061 (Fax);
- (2) Chief Clerk  
Texas Department of Insurance  
P.O. Box 149104, MC112-2A  
Austin, Texas 78714-9104  
(512) 490-1064 (Fax)  
chiefclerk@tdi.texas.gov; and
- (3) Casey Seeboth, Staff Attorney  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104

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Notice of Hearing  
Kristen Elizabeth Rogers and Senior Care Services, LLC  
SOAH Docket No. 454-21-1148  
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Austin, Texas 78714-9104  
(512) 490-1020 (fax)  
Casey.Seebboth@tdi.texas.gov

### Receiving Documents

The State Office of Administrative Hearings (SOAH) offers you the ability to receive service of orders and other documents issued by SOAH through email instead of by mail or fax. If you want to receive SOAH-issued documents by email, go to SOAH's website, [www.soah.texas.gov](http://www.soah.texas.gov), click on the "E-Services" tab, then click the hyperlink "Request Service by Email (only for use by self-represented litigants)," and follow the instructions.

NOTE: A request to receive SOAH-issued documents by email does not change the procedures you must follow to file documents with SOAH. The rules for filing documents and providing copies to all other parties in the case are described in SOAH's Procedural Rules, which are available on SOAH's website. Click the "Agency" tab, then click "Administrative Rules and Laws" to view SOAH's Procedural Rules.

### Important Security Notice

**ALL VISITORS TO THE WILLIAM P. CLEMENTS BUILDING WITHOUT AN AGENCY OR DPS ISSUED ID CARD MUST PROVIDE THE BUILDING SECURITY OFFICER WITH THE STATE OFFICE OF ADMINISTRATIVE HEARINGS DOCKET NUMBER AND RECEIVE A VISITOR'S PASS IN ORDER TO BE ALLOWED ACCESS TO THE HEARING ROOM. INDIVIDUALS SHOULD ALLOW ADDITIONAL TIME TO GO THROUGH THE SECURITY PROCESS.**

If you have any questions, please contact me at the address or telephone number shown below.

Respectfully Submitted,

/s/ Casey Seebboth

Casey Seebboth  
State Bar No. 24070584  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104



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Notice of Hearing  
Kristen Elizabeth Rogers and Senior Care Services, LLC  
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Austin, Texas 78714-9104  
(512) 676-6337 (direct)  
(512) 490-1020 (fax)  
Casey.Seeboth@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

Enclosure: Original Petition

cc: Leah Gillum, Deputy Commissioner, Enforcement Division, MC-110-1A  
Whitney Fraser, Litigation Director, Enforcement Division, MC-110-1A  
Administrative Review, MC107-1A

## CERTIFICATE OF SERVICE

I, Casey Seeboth, certify that a true and correct copy of the *Notice of Hearing and the Original Petition* were sent by email and certified mail, return receipt requested, on January 25, 2021 to:

Kristen Elizabeth Rogers  
[REDACTED]  
Birmingham, Alabama 35209

Via CM/RRR No.:  
9214 8901 9403 8330 4630 34

Senior Care Services, LLC  
2550 Five Star Parkway, Suite 116  
Bessemer, Alabama 35022

Via CM/RRR No.:  
9214 8901 9403 8330 4634 23

/s/ Casey Seeboth  
Casey Seeboth

**SOAH DOCKET NO. 454-\_\_\_\_\_**  
**TDI ENFORCEMENT FILE NOS. 18608 and 18898**

**TEXAS DEPARTMENT OF INSURANCE,**

**BEFORE THE STATE OFFICE**

**Petitioner**

**v.**

**OF**

**KRISTEN ELIZABETH ROGERS and  
SENIOR CARE SERVICES, LLC**

**ADMINISTRATIVE HEARINGS**

**Respondents**

**ORIGINAL PETITION**

The Texas Department of Insurance seeks to take disciplinary action against Kristen Elizabeth Rogers ("Rogers") and Senior Care Services, LLC. In support of this petition, the department makes the following allegations upon information and belief:

**Jurisdiction**

The Commissioner of Insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051–82.055, 4001.002, 4005.101, and 4054.051, and TEX. GOV'T CODE §§ 2001.051–2001.178.

**Factual Allegations**

1. Rogers holds a general lines agent license issued by TDI.
2. Rogers does business through an Alabama-domiciled entity, Senior Care Services, LLC, which holds a general lines agency license issued by TDI.
3. Rogers was appointed by UnitedHealthcare to sell Medicare Advantage plans beginning August 7, 2018.
4. After receiving complaints and identifying a suspicious enrollment pattern, UnitedHealthcare canceled Rogers's appointment and reported the cancelation as required per Texas Insurance Code section 4001.206.

**EXHIBIT**

**B**

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Original Petition

Kristen Elizabeth Rogers and Senior Care Services, LLC

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5. Rogers submitted to UnitedHealthcare a high volume of applications during a short timeframe around September and October 2018. The applicants had previously been UnitedHealthcare members whose plans terminated without renewal about a month previously. UnitedHealthcare received notification that the consumers had moved their coverage to another insurance plan. These consumers then purportedly made application to UnitedHealthcare to begin coverage having been enrolled in the other plan for only one month.
6. The applicants did not sign the applications Rogers sent to UnitedHealthcare, and did not consent or authorize Rogers to do so for them.
7. Rogers also was appointed, beginning in October 2017, to sell Humana Insurance Company Medicare Advantage products.
8. In early 2019, Humana identified a disenrollment/re- enrollment pattern associated with Rogers similar to the one identified by UnitedHealthcare.
9. Rogers submitted to Humana a high volume of applications during a short timeframe around February 2019. The applicants had previously been Humana members whose plans terminated without renewal about a month previously. Humana received notification that the consumers had moved their coverage to another insurance plan. These consumers then purportedly made application to Humana to begin coverage having purportedly been enrolled in the other plan for only one month.
10. The applicants did not sign the applications Rogers sent to Humana, and did not consent or authorize Rogers to do so for them.

### **Legal Allegations**

1. Rogers has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
2. Senior Care Services, LLC has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).

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Original Petition

Kristen Elizabeth Rogers and Senior Care Services, LLC

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## Relief Sought

If these allegations are proved, the Commissioner of Insurance is authorized to revoke both the general lines agent license issued to Kristen Elizabeth Rogers per TEX. INS. CODE §§ 82.051 and 4005.101; additionally, the Commissioner is authorized to impose other disciplinary measures per TEX. INS. CODE §§ 82.052–82.055.

If these allegations are proved, the Commissioner of Insurance is authorized to revoke both the general lines agent license issued to Senior Care Services, LLC per TEX. INS. CODE §§ 82.051 and 4005.101; additionally, the Commissioner is authorized to impose other disciplinary measures per TEX. INS. CODE §§ 82.052–82.055.

Respectfully Submitted,

/s/ Casey Seeboth

Casey Seeboth  
State Bar No. 24070584  
Texas Department of Insurance  
Enforcement Division, MC110-1A  
P.O. Box 149104  
Austin, Texas 78714-9104  
(512) 676-6337 (direct)  
(512) 490-1020 (fax)  
Casey.Seeboth@tdi.texas.gov

ATTORNEY FOR THE PETITIONER  
TEXAS DEPARTMENT OF INSURANCE

**Shipment Confirmation  
Acceptance Notice**



**A. Mailer Action**

**Note to Mailer:** The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 01/25/2021  
 Shipped From:  
 Name: MC 110-1A M RUIZ  
 Address: 333 GUADALIPE ST  
 City: AUSTIN  
 State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	0
First-Class Package Service®	
Returns	
International*	
Other	2
Total	2

\*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

**B. USPS Action**

Note to RSS Clerk:

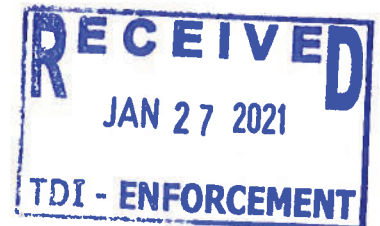
1. Home screen > Mailing/Shipping > More
2. Select Shipment Confirm
3. Scan or enter the barcode/label number from PS Form 5630
4. Confirm the volume count message by selecting Yes or No
5. Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.  
 Leave form with customer or in customer's mail receptacle.

USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0026 5206 35



Seeboth/18608 and 18898





Firm Mailing Book For Accountable Mail

Name and Address of Sender  
 MC 110-1A M-RUIZ  
 TEXAS DEPARTMENT OF INSURANCE  
 333 GUADALUPE ST  
 AUSTIN TX 78701

Check type of mail or service

Adult Signature Required  
 Adult Signature Restricted Delivery  
 Certified Mail  
 Certified Mail Restricted Delivery  
 Collect on Delivery (COD)  
 Insured Mail  
 Priority Mail

Priority Mail Express  
 Registered Mail  
 Return Receipt for Merchandise  
 Signature Confirmation  
 Signature Confirmation Restricted Delivery

Affix Stamp Here  
 (for additional copies of this receipt).  
 Postmark with Date of Receipt.

USPS Tracking/Article Number

Addressee (Name, Street, City, State, & ZIP Code™)

Postage

(Extra Service) Fee

Handling Charge

Actual Value if Registered

Insured Value

Due Sender if COD

ASR Fee

ASRD Fee

RD Fee

RR Fee

SC Fee

SCRD Fee

SH Fee

1. 9214 8901 9403 8330 4630 34  
 Seeboth/18608 and 18898

KRISTEN ELIZABETH ROGERS  
 ALABAMA 35209  
 BIRMINGHAM, ALABAMA 35209

1.20

3.60

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

2. 9214 8901 9403 8330 4634 23

SENIOR CARE SERVICES, LLC 2550 FIVE STAR PARKWAY, SUITE 116  
 BESSEMER, ALABAMA 35022

1.20

3.60

Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

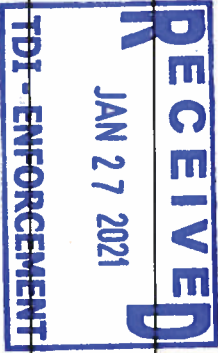
Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

2021-7082



Total Number of Pieces Listed by Sender: 2  
 Total Number of Pieces Received at Post Office: 2

Postmaster, Per (Name of receiving employee)

Complete in Ink

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