

NEW HAMPSHIRE INSURANCE DEPARTMENT

KIM DIANE HAYES BUTLER

INS 22-048-EP

PROCEDURAL ORDER

A hearing was held on this date regarding Kim Diane Hayes Butler's ("Butler's") Motion for Reconsideration of the Hearing Officer's denial of Butler's Motion to Continue the evidentiary hearing in this matter. The Hearing Officer's main concern was that an extended hearing delay under RSA 400-A:17, IV (requiring an expedited hearing) and the facts of this case, might not be appropriate, and would unfairly delay notification to Texas (Butler's home licensing state) of the New Hampshire license proceedings. The Hearing Officer learned at the hearing that Texas has already been made aware of the proceedings in New Hampshire by New Hampshire personnel, and therefore there is no issue of notification delay. Under the circumstances, a continuance to allow Texas to determine whether Butler maintains her Texas license is appropriate. If Butler loses her license in Texas, she will likely not pursue the New Hampshire proceedings.

At present Butler has no producer's license in New Hampshire and that will remain so unless and until she prevails in litigation with the New Hampshire Department of Insurance at a future date. She also represented she will not try to do business in New Hampshire without a license. This matter is continued to **October 4, 2023**, at which time an evidentiary hearing will be held.

10-4-22
Date


Steven M. Notinger, Hearings Officer