NORTH CAROLINA DEPARTMENT OF INSURANCE
RALEIGH, NORTH CAROLINA

STATE OF NORTH CAROLINA COUNTY OF WAKE	BEFORE THE COMMISSIONER OF INSURANCE

IN THE MATTER OF:	)	
	)	
THE LICENSURE OF RICARDO BAUTISTA-RIVERA (NPN #20774401)	)))	ORDER AND FINAL AGENCY DECISION
	)	Docket Number: 2359
Respondent.	)	
	)	

THIS MATTER was heard on March 5, 2026 by the undersigned Hearing Officer, as designated by the Commissioner of Insurance ("Commissioner") pursuant to N.C. Gen. Stat. § 58-2-55. The administrative hearing was held in the Hearing Room at the North Carolina Department of Insurance, located at 3200 Beechleaf Court, Raleigh, Wake County, North Carolina.

Petitioner, the Agent Services Division of the North Carolina Department of Insurance ("Petitioner" or "ASD"), was present and represented by Assistant Attorney General Kristin K. Mullins. Matthew Reck ("Mr. Reck"), Complaint Analyst for ASD, appeared and testified on behalf of the Petitioner. Respondent, RICARDO BAUTISTA-RIVERA, ("Respondent") did not appear and was not represented by counsel at the hearing.

Petitioner's Exhibits 1-14 were admitted into evidence.

BASED UPON careful consideration of the evidence, arguments presented at the hearing by ASD, and the entire record in the proceeding, the Hearing Officer hereby makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The North Carolina Department of Insurance ("NCDOI") is a state agency responsible, in accordance with Chapter 58 of the North Carolina General Statutes, for enforcement of the insurance laws of North Carolina and for regulating and licensing insurance producers.

2. Respondent is a resident of Florida. *See* Pet'r's Exs. 3 and 4.

3. Respondent currently holds an active non-resident North Carolina Insurance Producer License, National Producer Number 20774401, with lines of authority for Accident & Health or Sickness and Life ("License"). Respondent's License was first active in North Carolina on October 16, 2023. *See* Pet'r's Exs. 3 and 4.

4. The Notice of Administrative Hearing was properly served on Respondent pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 1 and 2.

5. The Notice of Administrative Hearing, Petition for Administrative Hearing, and the applicable Affidavit of Service were admitted into evidence as administrative exhibits. *See* Pet'r's Exs. 1 and 2.

6. Matthew Reck is a Complaint Analyst with ASD, and among his job responsibilities is handling enforcement files for ASD. This includes handling Personalized Information Capture System alerts ("PIC alert") received through the National Association of Insurance Commissioners ("NAIC") system. PIC alerts notify NCDOI if another state has taken administrative action against a North Carolina licensee.

7. Mr. Reck was assigned the PIC alert relating to Respondent, which the Louisiana Department of Insurance entered into NAIC on April 11, 2025. *See* Pet'r's Ex. 5. Mr. Reck has handled the investigation of the Respondent's enforcement file from ASD since the file's inception.

8. During that investigation, Mr. Reck determined that this is the second ASD case for Respondent. *See* Pet'r's Ex. 5. On February 20, 2024, ASD issued Respondent a written warning because he had failed to timely report to the Commissioner, within thirty (30) days of the effective date, the Kansas administrative action of November 28, 2023. *See* Pet'r's Exs. 5 and 5a. As part of the prior written warning, Respondent was reminded "to report all regulatory actions that you have been named or involved in which includes denials, consent orders, suspensions, notices of fines and FINRA actions within thirty days of the effective date". *See* Pet'r's Ex. 5a.

9. During his investigation, Mr. Reck reviewed the contents of Respondent's enforcement file, including Respondent's Licensing Summary Report, *see* Pet'r's Ex. 3, Respondent's State Licensing Report, *see* Pet'r's Ex. 4, Respondent's Report on the Regulatory Information Retrieval System ("RIRS Report"), *see* Pet'r's Ex. 5 and Respondent's National Insurance Producer Registry ("NIPR") Attachment Warehouse, *see* Pet'r's Ex. 6.

10. As part of his investigation, Mr. Reck obtained a copy of the administrative action from the Louisiana Department of Insurance, more specifically the Notice of Revocation. *See* Pet'r's Ex. 7. The Louisiana administrative action led to a revocation of the Respondent's non-resident Louisiana insurance producer license due to his failure to report a November 28, 2023 administrative action from the Kansas Insurance Department within thirty (30) days, as is required by La. R.S. 22:1563(A). *Id.* Additionally, prior to the revocation, the Louisiana Department of Insurance sent Respondent a Notice of Proposed Regulatory Action, via mail and e-mail, indicating the intention of that department to revoke his Louisiana insurance producer, but he failed to respond. *Id.*

11. A licensee is obligated to report administrative actions to NCDOI within thirty (30) days. *See* N.C. Gen. Stat. § 58-33-32(k). This requirement can be achieved either by notifying ASD directly or by uploading a copy of the administrative action to the NIPR attachment warehouse within thirty (30) days.

12. Respondent failed to report to NCDOI the December 20, 2024 Louisiana administrative action within the thirty (30) days, as required by N.C. Gen. Stat. § 58-33-32(k). *See* Pet'r's Exs. 5 and 6. Furthermore, the Respondent never reported the December 20, 2024 Louisiana administrative action to Mr. Reck. *Id.*

13. Accordingly, ASD sent correspondence to Respondent's e-mail addresses on record, initially on May 5, 2025, advising Respondent that the Louisiana administrative action, in order to be compliant with N.C. Gen. Stat. § 58-33-32(k), needed to be reported within thirty (30) days of the December 20, 2024 effective date of the action. *See* Pet'r's Exs. 8 and 9. Respondent was instructed to provide to Mr. Reck a written response, along with documentation regarding the administrative action, within ten (10) days of receipt of the letter. *Id.* Respondent did not respond to this May 5, 2025 correspondence.

14. On May 15, 2025, ASD sent another e-mail to Respondent's e-mail addresses on record. In that e-mail, it was noted that the Respondent failed to provide a response and the requested documentation, as requested in the May 5, 2025 initial correspondence. *See* Pet'r's Exs. 8 and 10. The May 15, 2025 correspondence gave Respondent notice that unless he sent a copy of the administrative actions and a written statement to ASD with ten (10) days, ASD would consider Respondent to be in violation of N.C. Gen. Stat. §§ 58-2-185 and 58-2-195 and would consider proceeding with an administrative action against his license. *Id.* Respondent did not respond to this May 15, 2025 correspondence.

15. On May 30, 2025, ASD sent another e-mail to Respondent's e-mail addresses on record. *See* Pet'r's Exs. 8 and 11. That same day, a copy of the correspondence was also mailed to Respondent's residential address on record, as required by N.C. Gen. Stat. § 58-2-69(b), via the U.S. Postal Service. *Id.* This

correspondence alerted Respondent that he appeared to be in violation of N.C. Gen. Stat. §§ 58-33-46(a)(2) and 58-33-32(k) and informed him that an informal telephonic conference had been scheduled for July 9, 2025 at 12:00 p.m. to discuss the allegations. *Id.* Respondent did not respond to this May 30, 2025 correspondence and did not attend the informal conference.

16. On July 7, 2025, ASD sent a courtesy follow-up correspondence, via e-mail, to Respondent's e-mail addresses of record, reminding Respondent of the informal conference scheduled for July 9, 2025, and provided the telephone number ASD would be contacting him at. *See* Pet'r's Exs. 8 and 12. Additionally, a copy of the original informal conference notice was attached for Respondent's reference. *Id.* Respondent did not respond to this July 7, 2025 correspondence and did not attend the informal conference.

17. On July 9, 2025, ASD sent correspondence via e-mail to Respondent's e-mail addresses of record, advising Respondent that ASD had been trying to contact him to discuss his North Carolina non-resident insurance producer license. *See* Pet'r's Exs. 8 and 13. It was requested that Respondent contact Mr. Reck at his phone number, listed on the e-mail, or respond directly to the e-mail correspondence. *Id.* Respondent did not respond to this July 9, 2025 correspondence.

18. On July 25, 2025, ASD sent yet another e-mail to Respondent's e-mail addresses of record. *See* Pet'r's Exs. 8 and 14. That same day, a copy of the correspondence was also mailed to Respondent's residential, mailing and business address of record, as required by N.C. Gen. Stat. § 58-2-69(b), via the U.S. Postal Service. *Id.* This correspondence advised Respondent that ASD had been trying to contact him to resolve the failure to report the administrative action, via telephone, on July 9, 2025. *Id.* Additionally, the correspondence highlighted that Respondent failed to respond to the NCDOI's repeated attempts to resolve this matter and failed to attend the informal conference. *Id.* The correspondence also set forth ASD's allegations that Respondent violated N.C. Gen. Stat. §58-33-32(k) for not reporting the Illinois administrative action, which was grounds for disciplinary action against his license pursuant to N.C. Gen. Stat. §58-33-46(a)(2). *Id.* Additionally, this correspondence highlighted that Respondent also had received the prior written warning from ASD for failing to report the Kansas administrative action of February 20, 2024 for a separate matter. This correspondence also informed Respondent that formal proceedings would be instituted under Article 3A of Chapter 150B and an administrative hearing would be scheduled in Raleigh, North Carolina at a time and date to be determined. *Id.* Respondent did not respond to this July 25, 2025 correspondence.

19. As of the date of the hearing, Respondent had not reported the Louisiana administrative action, had failed to respond to any of the correspondence sent by ASD and had failed to attend the informal conference to try and resolve this matter, short

of proceeding to an administrative hearing.

CONCLUSIONS OF LAW

1. This matter is properly before the Commissioner. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Chapter 58 of the North Carolina General Statutes.

2. Respondent was properly served with the Notice of Administrative Hearing and Petition for Administrative Hearing in this matter, pursuant to N.C. Gen. Stat. §§ 58-2-69(d) and 58-2-69(e). *See* Pet'r's Exs. 1 and 2.

3. N.C. Gen. Stat. § 58-33-32(k) requires an insurance producer to report to the Commissioner "any administrative action" taken against the producer by another state "within 30 days after the final disposition of the matter." N.C. Gen. Stat. § 58-33-32(k) further specifies that this report "shall include a copy of the order or consent order and other information or documents filed in the proceeding necessary to describe the action."

4. Respondent failed to report the Louisiana administrative action taken by the Louisiana Department of Insurance (effective December 20, 2024) to the Commissioner within thirty (30) days of the action's final disposition, as is required by N.C. Gen. Stat. § 58-33-32(k).

5. Furthermore, Respondent was reminded of the importance of the reporting requirements, as part of his prior written warning, which specified clearly the need "to report all regulatory actions that you have been named or involved in which includes denials, consent orders, suspensions, notices of fines and FINRA actions within thirty days of the effective date." Regardless of this reminder, he still failed to report the Louisiana action within thirty (30) days of the effective date or ever.

6. In addition, N.C. Gen. Stat. § 58-33-46(a)(2) states that the Commissioner may place on probation, suspend, revoke or refuse to renew the license of a licensee that has violated any insurance law of this or any other state, violated any administrative rule, subpoena, or order of the Commissioner or of another state's insurance regulator, or violated any rule of FINRA.

7. By failing to report the Louisiana administrative action within thirty (30) days of the action's final disposition, or ever, the Respondent violated a North Carolina insurance law within the meaning of N.C. Gen. Stat. § 58-33-46(a)(2).

8. Based upon the evidence received and the applicable law, the undersigned Hearing Officer concludes that the Respondent's license should be

revoked under N.C. Gen. Stat. § 58-33-46(a)(2) for violating N.C. Gen. Stat. § 58-33-32(k).

BASED UPON the foregoing Findings of Fact and Conclusions of Law, the Hearing Officer enters the following:

ORDER

It is **ORDERED** that Respondent's non-resident North Carolina Insurance Producer license is hereby **REVOKED** effective as of the date of the signing of this Order.

This the 10th day of June, 2026.

[redacted]

Terence D. Friedman
Hearing Officer
N.C. Department of Insurance

APPEAL RIGHTS

This is a Final Agency Decision issued under the authority of N.C. Gen. Stat. § 150B, Article 3A.

Under the provisions of N.C. Gen. Stat. § 150B-45, any party wishing to appeal a final decision of the North Carolina Department of Insurance must file a Petition for Judicial Review in the Superior Court of the County where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, the county where the contested case which resulted in the final decision was filed. The appealing party must file the petition within 30 days after being served with a written copy of the Order and Final Agency Decision. In conformity with 11. NCAC 01.0413 and N.C. Gen. Stat. § 1 A-1, Rule 5, this Order and Final Agency Decision was served on the parties on the date it was placed in the mail as indicated by the date on the Certificate of Service attached to this Order and Final Agency Decision. N.C. Gen. Stat. § 150B-46 describes the contents of the Petition, including explicitly stating what exceptions are taken to the decision or procedure and what relief the petitioner Seeks, and requires service of the Petition by personal service or by certified mail upon all who were parties of record to the administrative proceedings. The mailing address to be used for service on the Department of Insurance is: Amy Funderburk, General Counsel, 1201 Mail Service Center, Raleigh, NC 27699-1201.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that I have this day served the foregoing **ORDER AND FINAL AGENCY DECISION** by mailing a copy of the same via certified U.S. Mail, return receipt requested; via first class U.S. mail to Respondent at the address provided to the Commissioner pursuant to N.C. Gen. Stat. § 58-2-69(b); via courtesy e-mail to Respondent and via State Courier and courtesy e-mail to Attorney for Petitioner, addressed as follows:

Ricardo Bautista-Rivera
8855 137th Court
Dunnellon, Florida 34432
rbauistarivera@gmail.com
(Respondent)

Certified Mail Tracking Number: 7022 2410 0000 9662 5956

Kristin K. Mullins
Assistant Attorney General
N.C. Department of Justice
Insurance Section
9001 Mail Service Center
Raleigh, NC 27699-9001
kmullins@ncdoj.gov
N.C. State Bar No.: 60460
(Attorney for Petitioner)

This the 10th day of June, 2026.

[redacted]

Raheema I. Moore
Clerk of Court for Administrative Hearings
Paralegal III
N.C. Department of Insurance
General Counsel's Office
1201 Mail Service Center
Raleigh, NC 27699-1201