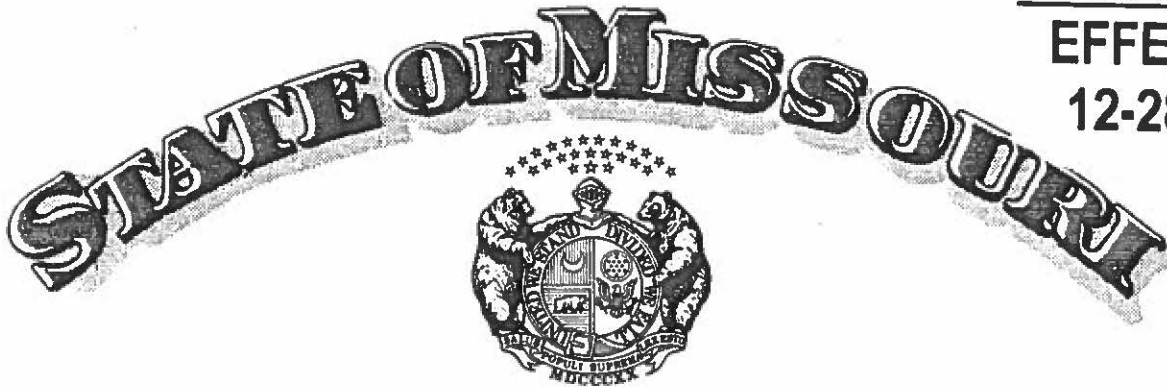


FINAL ORDER
EFFECTIVE
12-28-16



**DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION**

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:)
)
 TAMMY JEAN CHURCH,) Case No. 160712344C
)
 Applicant.)

CONSENT ORDER

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Stephanie L. Pierce, and Tammy Jean Church have reached a settlement in this matter and have consented to the issuance of this Consent Order.

1. John M. Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (“Director” of the “Department”) whose duties, pursuant to Chapters 374 and 375, RSMo,¹ include the licensure, supervision, regulation, and discipline of insurance producers.

¹ All civil statutory references are to the Revised Statutes of Missouri (2000) as updated by the 2013 Supplement, unless otherwise noted.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of conducting investigations into the qualifications of insurance producer license applicants under the insurance laws of this state and has been authorized by the Director to investigate and initiate actions before the Director to enforce the insurance laws of this state, including insurance producer license application refusals.

3. On October 17, 2005, Tammy Jean Church (“Church”) pled guilty to, and was convicted of, Possession of a Controlled Substance Except 35 Grams Or Less of Marijuana, a Class C Felony, in violation of § 195.202 RSMo.² The court sentenced Church to two (2) years’ incarceration. *State v. Tammy Jean Church*, Lafayette Co. Cir. Ct., Case No. 05LF-CR00997-01.

4. On April 19, 2016, the Department received Church’s electronic application for a resident insurance producer license (“Application”).

5. Church disclosed her prosecution and conviction on the Application as required.

6. Church acknowledges and understands that pursuant to § 375.141.1(6), the Director may refuse to issue a resident insurance producer license to Church because Church has been convicted of a felony or a crime involving moral turpitude.

7. Church acknowledges and understands that she has the right to consult counsel at her own expense.

8. Church stipulates and agrees to waive any waivable rights that she may have to a hearing before the Administrative Hearing Commission or the Director, and any rights to seek judicial review or other challenge or contest of the terms and conditions of this Consent Order, and forever releases and holds harmless the Department, the Director and his agents, and the Division from all liability and claims arising out of, pertaining to, or relating to this matter.

² All criminal statutory references are to those contained in the version of the Revised Statutes of Missouri under which the court rendered judgment.

9. Church acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Church further acknowledges and understands that this administrative action should be disclosed on future applications and renewal applications and that it is her responsibility to comply with the reporting requirements of each state in which she may be licensed.

10. Each signatory to this Consent Order certifies by signing that he or she is fully authorized, in his or her own capacity, or by the named party he or she represents, to accept the terms and provisions of this Consent Order in their entirety, and agrees, in his or her personal or representational capacity, to be bound by the terms of this Consent Order.

CONCLUSIONS OF LAW

11. Section 375.141 provides, in relevant part:

1. The director may suspend, revoke, refuse to issue or refuse to renew an insurance producer license for any one or more of the following causes:

* * *

(6) Having been convicted of a felony or crime involving moral turpitude[.]

12. The facts admitted herein by Church provides a ground upon which to refuse her resident insurance producer license application pursuant to § 375.141.1(6).

13. The Director may impose orders in the public interest under § 374.046.

14. The terms set forth in this Consent Order are an appropriate disposition of this matter and entry of this Consent Order is in the public interest.

ORDER

IT IS ORDERED that the Department will issue a resident insurance producer license to Tammy Jean Church, subject to the conditions set forth herein and the following special conditions:

1. Tammy Jean Church shall report to the Consumer Affairs Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374 or 375, within five (5) business days of such violation or failure to comply.

2. Tammy Jean Church shall respond to all inquiries from the Consumer Affairs Division in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Tammy Jean Church, Church shall send the Department a copy of the complaint and a copy of Church's response to the consumer within five (5) business days of receipt of the consumer complaint.

4. Tammy Jean Church shall report to the Consumer Affairs Division any and all of the following incidents involving Church: guilty plea, *Alford* plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor. Church shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

5. Tammy Jean Church shall report to the Consumer Affairs Division any administrative action undertaken or initiated against Church in another jurisdiction or by another state or federal governmental agency in this state within five (5) business days after Church receives notification of the initiation of such administrative action.

6. The special conditions listed in paragraphs 1 through 5 will expire upon the earlier of the expiration or renewal of Tammy Jean Church's two (2) year resident insurance

producer license or the refusal, surrender, or revocation of Church's resident insurance producer license.


IT IS FURTHER ORDERED that, for two (2) years subsequent to the date of this executed Consent Order, Tammy Jean Church will voluntarily surrender her resident insurance producer license to the Department within five (5) business days of Church's entry of a guilty plea, *Alford* plea, nolo contendere plea, being found guilty, or being convicted of a felony or crime of moral turpitude, regardless of whether any sentence is suspended or executed.

IT IS FURTHER ORDERED that, if Tammy Jean Church maintains her resident insurance producer license and complies with the terms of this Consent Order, Church may apply to renew her resident insurance producer license and the Director shall consider her renewal application in accordance with Chapters 374 and 375, but without regard to Church's prior felony or the underlying conduct in *State v. Tammy Jean Church*, Lafayette Co. Cir. Ct., Case No. 05LF-CR00997-01.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director, and without limitation, as authorized by Chapters 374 and 375, including remedies for violation of, or failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 28TH DAY OF DECEMBER, 2016.





JOHN M. HUFF, Director
Missouri Department of Insurance, Financial
Institutions and Professional Registration

CONSENT AND WAIVER OF HEARING

The undersigned persons understand and acknowledge that Tammy Jean Church may have a right to a hearing, but that Tammy Jean Church has waived the hearing and consented to the issuance of this Consent Order.



Tammy Jean Church, Applicant
15701 E. Independence Ave.
Independence, Missouri 64050



Date

Counsel for Applicant

Name: _____

Missouri Bar No. _____

Address: _____

Telephone: _____

Facsimile: _____

Email: _____

Date



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Date