Before the
Administrative Hearing Commission
State of Missouri

DIRECTOR OF INSURANCE,	)	
	)	
Petitioner,	)	
	)	
vs.	)	No. 06-0758 DI
	)	
RICK LIDISKY,	)	
	)	
Respondent.	)	

CONSENT ORDER

The licensing authority filed a complaint. Section 621.045, RSMo Supp. 2005, gives us jurisdiction.

On November 29, 2006, the parties filed a "Stipulation of Facts, Consent to Finding Cause for Discipline and Waiver of Hearing." Our review of the document shows that the parties have stipulated to certain facts and waived their right to a hearing before us. Because the parties have agreed to these facts, we incorporate them into this order and adopt them as stipulated. ***Buckner v. Buckner***, 912 S.W. 2d 65, 70 (Mo. App., W.D. 1995). We conclude that the licensee is subject to discipline under § 375.141.1(1) and (9), RSMo Supp. 2005. We incorporate the parties' proposed findings of fact and conclusions of law into this Consent Order. We certify the record to the licensing agency under § 621.110, RSMo 2000.

The only issue before this Commission is whether the stipulated conduct constitutes cause to discipline the license. The appropriate disciplinary action is not within our power to decide; that is subject to the licensing authority's decision or the parties' agreement. Section 621.110, RSMo 2000.

No statute authorizes us to determine whether the agency has complied with the provisions of section 621.045.3. RSMo Supp. 2005. We have no power to superintend agency compliance with statutory procedures. ***Missouri Health Facilities Review Comm. v. Administrative Hearing Comm'n***, 700 S.W. 2d 445, 450 (Mo. banc 1985). Therefore, we do not determine whether the agency complied with such procedures.

SO ORDERED on November 29, 2006.

Terry M. Jarrett

TERRY M. JARRETT
Commissioner