

BEFORE THE ADMINISTRATIVE HEARING COMMISSION
STATE OF MISSOURI

FILED

SEP 11 2009

ADMINISTRATIVE HEARING
COMMISSION

DIRECTOR, DEPARTMENT OF INSURANCE,)
FINANCIAL INSTITUTIONS AND)
PROFESSIONAL REGISTRATION)
STATE OF MISSOURI,)

Petitioner,)

vs.)

OMER BOWMAN,)

Respondent.)

Serve:)

Omer Bowman)
14737 Robinson St.)
Overland Park, Kansas 66223)
(913) 681-7737)

Case No.:

COMPLAINT

JOHN M. HUFF, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, through counsel, complains and requests the Administrative Hearing Commission find that cause exists for disciplinary action against Respondent, Omer Bowman, because:

INFORMATION RELEVANT TO ALL COUNTS

1. Petitioner is the Director ("Director") of the Missouri Department of Insurance, Financial Institutions and Professional Registration, whose duties include, pursuant to chapters 374 and 375, RSMo, the regulation, supervision, and discipline of insurance producers.
2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department"), originally issued an insurance producer license to Omer Bowman

("Respondent") on October 17, 1987, license number 0239037, which was subsequently renewed until its expiration on September 27, 2008.

3. The Commission has jurisdiction over this Complaint pursuant to § 621.045, RSMo (2000).

COUNT I

4. Respondent's insurance producer license, or its equivalent, was revoked in another state. Such is a ground for discipline of Respondent's insurance producer license pursuant to § 375.141.1(9), RSMo (Supp. 2008).

5. The facts are as follows:

- a. On August 30, 2007, the Commissioner of Insurance of the State of Kansas issued a Summary Order proposing to revoke Respondent's Kansas Resident Insurance Agent License because Respondent "failed to respond to a proper inquiry of the Commissioner of Insurance in violation of K.S.A. 40-2,125 and that Respondent engaged in fraudulent, coercive, dishonest practice or demonstrated any incompetence, untrustworthiness or financial irresponsibility in the conduct of business in [the state of Kansas] in violation of K.S.A. 40-4909(a)(8)."
- b. On September 12, 2007, Respondent requested a hearing on the August 30, 2007 Summary Order.
- c. A hearing on this matter was scheduled for February 21, 2008. Respondent failed to appear for the hearing, either in person or by telephone.
- d. On March 12, 2008, the Commissioner of Insurance of the State of Kansas issued a Notice of Proposed Default Order revoking Respondent's Kansas Resident Insurance Agent's License.

- e. On March 26, 2008, the August 30, 2007 Summary Order and the March 12, 2008 Notice of Proposed Default Order became final and Respondent's Kansas Resident Insurance Agent's License was revoked.

COUNT II

6. Petitioner realleges and expressly incorporates by reference the allegations in paragraphs 4 and 5.

7. Respondent failed to report to the Director an administrative action taken against Respondent in another jurisdiction within thirty (30) days of its final disposition. Such is a violation of § 375.141.6, RSMo (Supp. 2008), and a ground for discipline pursuant to § 375.141.1(2), RSMo (Supp. 2008).

8. The facts are as follows:

- a. Respondent did not report to the Director the administrative action taken against him by the Commissioner of the State of Kansas to the Director within thirty (30) days of March 26, 2008, when the revocation of his Kansas insurance agent license became final.

COUNT III

9. Respondent failed to appear before the Director or produce records as ordered by a subpoena. Such is a ground for discipline pursuant to § 374.210.2, RSMo (Supp. 2008).

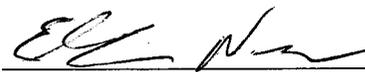
10. The facts are as follows:

- a. On March 9, 2009, the Director issued a subpoena to Respondent, ordering him to appear at the Department of Insurance, Financial Institutions, and Professional Registration, Harry S Truman State Office Building, Room 540, 301 West High Street, Jefferson City, Missouri on April 2, 2009, at 9:30 a.m. and to produce records regarding a complaint against him filed by or on behalf of Frances Baker.

- b. The March 10, 2009, subpoena was sent certified mail to Respondent. Respondent signed the "green card" indicating he had received the subpoena on March 23, 2009.
- c. On April 2, 2009, Respondent failed to appear or produce records as ordered by the March 9, 2009, subpoena.

WHEREFORE, based on the foregoing, Petitioner respectfully requests the Commission make findings of fact and conclusions of law stating that Petitioner has established cause to discipline Respondent's insurance producer license pursuant to §§ 374.210.2, 375.141.1(2), and 375.141.1(9), RSMo (Supp. 2008).

Respectfully submitted,



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