DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

In RE:	)	
	)	
DEANA A. STEWART,	)	Case No. 120124075C
	)	
Respondent.	)	

CONSENT ORDER

John M. Huff, Director of the Department of Insurance, Financial Institutions and Professional Registration, takes up the above-referenced matter for consideration and disposition. The Consumer Affairs Division, through counsel, Tamara W. Kopp, and Respondent Deana A. Stewart 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 supervision, regulation, and discipline of insurance producers authorized to conduct business in the state of Missouri.

[1] All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

2. The Consumer Affairs Division ("Division") of the Department has the duty of conducting investigations into the unfair or unlawful acts of insurance producers and companies under the insurance laws of this state and is authorized to initiate actions before the Director to enforce the insurance laws of this state.

3. The Department issued Respondent Deana A. Stewart ("Stewart") an insurance producer license (No. 0397469) on July 11, 2007. The Department subsequently renewed Stewart's insurance producer license. Stewart's insurance producer license will expire July 11, 2013.

4. On June 30, 2010, Stewart was terminated for cause from Mid-Missouri Insurance Agency ("MMIA") because Stewart had misappropriated money by withholding cash insurance premium payments received on behalf of MMIA totaling $4,914.00. Stewart's insurance producer license is subject to discipline pursuant to §375.141.1(4) because she improperly withheld, misappropriated, or converted moneys or properties received in the course of doing insurance business.

5. By misappropriating insurance premium and deceiving MMIA regarding premiums received, Stewart used fraudulent, coercive, or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business, which is grounds to discipline Stewart's insurance producer license pursuant to §375.141.1(8).

6. On November 14, 2011, the Director mailed a subpoena by certified mail that directed Stewart to appear at the Department's Jefferson City, Missouri office on December 7, 2011. Stewart signed for the subpoena on November 18, 2011,

but did not appear as ordered or contact the Department to reschedule. Stewart's insurance producer license is subject to discipline pursuant to §375.141.1(2) because she violated the Director's subpoena by failing to appear on December 7, 2011.

7. On February 3, 2012, counsel for the Division provided a written description of the specific conduct for which discipline was sought and a citation to the law and rules allegedly violated, together with copies of any documents upon which it based the allegations, and the Division's settlement offer, namely, this Consent Order, in accordance with §621.045.4(1).

8. Stewart admits, acknowledges, and understands that under §375.141.1(2), (4), and (8), the Director may discipline Stewart's insurance producer license.

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

10. Stewart has been advised that she may, either at the time the Consent Order is signed by all parties, or within 15 days thereafter, submit the Consent Order to the Administrative Hearing Commission for a determination that the facts agreed to by the parties to the Consent Order constitute grounds for discipline of Stewart's insurance producer license.

11. Except as provided in paragraph 10, above, Stewart stipulates and agrees to waive any 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 Consumer Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

12. 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

13. The Director may discipline a license where the licensee has failed to renew or surrendered such license. §375.141.4.

14. The actions admitted by Stewart are grounds to discipline Stewart's insurance producer license pursuant to §375.141.1(2), (4), and (8).

15. The Director may enter orders in the public interest under §374.046.

16. 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 Respondent Deana A. Stewart's insurance producer license (No. 0397469) is hereby REVOKED.

SO ORDERED, SIGNED, AND OFFICIAL SEAL AFFIXED THIS 22ND DAY OF FEBRUARY, 2012.

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 Respondent has a right to a hearing, but that Respondent has waived the hearing and consented to the issuance of this Consent Order.

Deana A. Stewart

Deana A. Stewart
Respondent
P.O. Box 123
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2/9/12
Date

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