



**DEPARTMENT OF COMMERCE AND INSURANCE**

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

IN RE: )  
 )  
 **ROBERT WOODSON MCMILLIN,** ) **Case No. 2203090322C**  
 )  
 **Renewal Applicant.** )

**ORDER REFUSING TO RENEW**  
**AN INSURANCE PRODUCER LICENSE AND A**  
**SURPLUS LINES PRODUCER LICENSE**

CHLORA LINDLEY-MYERS, Director of the Missouri Department of Commerce and Insurance (“Director” of the “Department”), take up the above matter for consideration and disposition. After reviewing the Petition, the Investigative Report, and other relevant documents, the Director issues the following findings of fact, conclusions of law and order:

**FINDINGS OF FACT**

1. Robert Woodson McMillin (“McMillin”) is a Tennessee resident with a residence address of 5317 Turtle Point Lane, Knoxville, Tennessee 37919-9340, a business address of 151 Major Reynolds Place, Suite 210, Knoxville, Tennessee 37919-4813, and a mailing address of 1201 Pacific Avenue, Suite 1000, Tacoma, Washington 98402-4321.
2. McMillin held a non-resident insurance producer license that expired on June 12, 2021. McMillin also holds a surplus lines producer license that expires on March 22, 2022.
3. On January 26, 2022, McMillin submitted two electronic applications: one to renew his non-resident insurance producer license (“Application”)<sup>1</sup> and one to renew his

<sup>1</sup> Section 375.018.4, RSMo Cum. Supp. 2021, provides as follows:

surplus lines producer license (“Surplus Lines Application”).

4. On December 2, 2019, McMillin pled guilty to Driving While Intoxicated with Child under 15 Years of Age, under Tex. Pen. Code § 49.045, a State Jail Felony, based upon events occurring on May 20, 2019. *State of Texas v. Robert McMillin*, Dallas Cty. Cir. Ct., Case No. F-1933869-M. The court sentenced McMillin to two years’ confinement but suspended the sentence and placed McMillin on community supervision for five years. *Id.* The court also ordered McMillin to pay a \$1,500.00 fine and court costs. *Id.*
5. In August 2020, McMillin reported his Texas criminal case to the Tennessee Department of Commerce and Insurance, his resident state regulator, and documents relating to the case were placed in the NIPR Attachment Warehouse.<sup>2</sup>
6. Background Question No. 2 reads identically on both the Application and the Surplus Lines Application and asks, in relevant part:

Have you been named or involved as a party in an administrative proceeding, including a FINRA sanction or arbitration proceeding regarding any professional or occupational license or registration, which has not been previously reported to this insurance department? “Involved” means having a license censured, suspended, revoked, canceled, terminated; or, being assessed a fine, placed on probation, sanctioned or surrendering a license to resolve an administrative action. “Involved” also means being named as a party to an administrative or arbitration proceeding, which is related to a professional or occupational license, or registration. “Involved” also

---

An individual insurance producer who allows his or her license to expire may, within twelve months from the due date of the renewal fee, reinstate the same license without the necessity of passing a written examination. The insurance producer seeking relicensing pursuant to this subsection shall provide proof that the continuing education requirements have been met and shall pay a penalty of twenty-five dollars per month that the license was expired in addition to the requisite renewal fees that would have been paid had the license been renewed in a timely manner. Nothing in this subsection shall require the director to relicense any insurance producer determined to have violated the provisions of section 375.141.

Since McMillin filed an insurance producer renewal application within twelve months of the expiration date of his license, this statutory provision applies. Also since McMillin filed a renewal application, we refer to him as renewing that license (as opposed to “reinstating” it, to use the statutory terminology) here.

<sup>2</sup> “The NIPR Warehouse is an electronic database maintained by the National Association of Insurance Commissioners, of which Missouri is a member. The NIPR Warehouse allows licensees to report information regarding criminal charges and convictions as well as disciplinary actions against their licenses.” *Director of Dep’t of Commerce and Ins. v. Lamanna*, No. 20-0309 (Mo. Admin. Hrg. Comm’n Aug. 27, 2020).

means having a license, or registration, application denied or the act of withdrawing an application to avoid a denial.

7. McMillin answered “No” to Background Question No. 2 regarding administrative actions on both his Application and his Surplus Lines Application.
8. The Division’s investigation revealed that on April 12, 2021, McMillin filed an application with the Department to renew his non-resident insurance producer license. On April 27, 2021, McMillin signed a Voluntary Withdrawal of that application.
9. The Division’s investigation also revealed that McMillin was involved in the following additional administrative proceedings in other states:
  - a. On September 21, 2020, the Louisiana Department of Insurance fined McMillin \$250.00 because McMillin was convicted of a felony and failed to report this to the Louisiana Department within thirty days or disclose this on his renewal application. Notice of Fine for Robert Woodson McMillin, License # 6587168, from the Louisiana Department of Insurance to Robert Woodson McMillin, dated September 21, 2020.
  - b. On February 18, 2021, the California Department of Insurance entered an Order of Summary Revocation against McMillin because McMillin was convicted of a felony and failed to report this to the California Department of Insurance within 30 days, because of the administrative action against McMillin in Louisiana, and because McMillin failed to respond to an inquiry from the Commissioner of the California Department of Insurance. This order revoked McMillin’s license thirty days from the date of the order. *In the Matter of the License and Licensing Rights of: Robert Woodson McMillin*, California Department of Insurance, File No. OBS 4111-A (AR).
  - c. On April 28, 2021, the Indiana Department of Insurance revoked McMillin’s insurance producer license and his surplus lines producer license because McMillin was convicted of a felony and failed to timely report his conviction to the Commissioner of the Indiana Department of Insurance. *In the Matter of: Robert W. McMillin*, Indiana Commissioner of Insurance, Cause No. 19894-AG21-0127-014.
10. It is inferable, and hereby found as fact, that McMillin did not disclose in his Application and Surplus Lines Application the fact that he previously voluntarily withdrew an application that he had filed with the Department in April 2021, and the administrative actions that he was involved in in Louisiana, California, and

Indiana, in the hopes that the Director would view those applications more favorably and issue producer licenses to him.

### CONCLUSIONS OF LAW

11. Section 375.141.1, RSMo 2016,<sup>3</sup> provides:

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:

(1) Intentionally providing materially incorrect, misleading, incomplete or untrue information in the license application;

(2) Violating any insurance laws, or violating any regulation, subpoena or order of the director or of another insurance commissioner in any other state;

(3) Obtaining or attempting to obtain a license through material misrepresentation or fraud;

\* \* \*

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

\* \* \*

(9) Having an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory.

12. Section 375.141.7 provides:

Within thirty days of the initial pretrial hearing date, a producer shall report to the director any criminal prosecution for a felony or a crime of moral turpitude of the producer taken in any jurisdiction. The report shall include a copy of the indictment or information filed, the order resulting from the hearing and any other relevant legal documents.

13. Section 384.065, regarding surplus lines producer licenses, provides, in relevant

---

<sup>3</sup> This and all further civil statutory references are to RSMo 2016 unless otherwise indicated.

part, as follows:

The director may suspend, revoke, or refuse to renew the license of a surplus lines licensee after notice and hearing as provided under the applicable provisions of this state's laws upon any one or more of the following grounds:

\* \* \*

(7) For any cause for which an insurance license could be denied, revoked, suspended or renewal refused under section 375.141.

14. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(1) and § 384.065(7) because McMillin intentionally provided materially incorrect, misleading, incomplete or untrue information in his license applications, in that McMillin failed to disclose the fact that in April 2021, he voluntarily withdrew a license application that he filed with the Department.
15. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(1) and § 384.065(7) because McMillin intentionally provided materially incorrect, misleading, incomplete or untrue information in his license applications, in that McMillin failed to disclose his administrative actions in Louisiana, California, and Indiana. Notice of Fine for Robert Woodson McMillin, License # 6587168, from the Louisiana Department of Insurance to Robert Woodson McMillin, dated September 21, 2020; *In the Matter of the License and Licensing Rights of: Robert Woodson McMillin*, California Department of Insurance, File No. OBS 4111-A (AR); *In the Matter of: Robert W. McMillin*, Indiana Commissioner of Insurance, Cause No. 19894-AG21-0127-014.
16. Each time McMillin provided materially incorrect, misleading, incomplete or untrue information in his license applications constitutes separate and sufficient cause to refuse to renew his non-resident and surplus lines insurance producer licenses under § 375.141.1(1) and § 384.065(7).
17. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(2) and § 384.065(7) because McMillin violated an insurance law, to wit: § 375.141.7, in that McMillin failed to report to the Director a criminal prosecution for a felony within thirty days of the initial pretrial hearing date. Indeed, McMillin did not report his conviction to any state regulator until after he was convicted when he reported it in August 2020 to his resident state regulator, the Tennessee Department of Commerce and

Insurance, and documents related to the conviction were placed in the NIPR Attachments Warehouse.

18. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer licenser under § 375.141.1(3) and § 384.065(7) because McMillin attempted to obtain a license through material misrepresentation or fraud, in that McMillin failed to disclose the fact that in April 2021, he voluntarily withdrew a license application that he filed with the Department.
19. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(3) and § 384.065(7) because McMillin attempted to obtain a license through material misrepresentation or fraud, in that McMillin failed to disclose his administrative actions in Louisiana, California, and Indiana. Notice of Fine for Robert Woodson McMillin, License # 6587168, from the Louisiana Department of Insurance to Robert Woodson McMillin, dated September 21, 2020; *In the Matter of the License and Licensing Rights of: Robert Woodson McMillin*, California Department of Insurance, File No. OBS 4111-A (AR); *In the Matter of: Robert W. McMillin*, Indiana Commissioner of Insurance, Cause No. 19894-AG21-0127-014.
20. Each time McMillin attempted to obtain a license through material misrepresentation or fraud constitutes separate and sufficient cause to refuse to renew his non-resident insurance producer and surplus lines producer licenses under § 375.141.1(3) and § 384.065(7).
21. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(6) and § 384.065(7) because McMillin has been convicted of a felony: Driving While Intoxicated with Child under 15 Years of Age. *State of Texas v. Robert McMillin*, Dallas Cty. Cir. Ct., Case No. F-1933869-M.
22. The Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license under § 375.141.1(9) and § 384.065(7) because McMillin had an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory, in that McMillin's license was revoked in California and Indiana. *In the Matter of the License and Licensing Rights of: Robert Woodson McMillin*, California Department of Insurance, File No. OBS 4111-A (AR); *In the Matter of: Robert W. McMillin*, Indiana Commissioner of Insurance, Cause No. 19894-AG21-0127-014.
23. Each time that McMillin has had an insurance producer license, or its equivalent, denied, suspended or revoked in any other state, province, district or territory constitutes separate and sufficient cause to refuse to renew McMillin's non-resident

insurance producer and surplus lines producer licenses under § 375.141.1(9) and § 384.065(7).

24. The above-described instances are grounds upon which the Director may refuse to renew McMillin's non-resident insurance producer license and surplus lines producer license. McMillin failed to disclose his administrative actions on his Application and his Surplus Lines Application and he failed to timely notify the Director about his felony case. McMillin has a felony conviction for driving while intoxicated, and he has had his insurance license revoked in California and Indiana.
25. The Director has considered McMillin's history and all of the circumstances surrounding McMillin's Application and Surplus Lines Application. Renewing McMillin's licenses would not be in the interest of the public. Accordingly, the Director exercises her discretion to refuse to renew McMillin's insurance producer and surplus lines producer licenses.
26. This Order is in the public interest.

**ORDER**

**IT IS THEREFORE ORDERED** that the non-resident insurance producer license renewal Application and Surplus Lines Application of **Robert Woodson McMillin**, are hereby **REFUSED**.

**SO ORDERED. WITNESS MY HAND THIS 17<sup>th</sup> DAY OF MARCH, 2022.**



*Chlora Lindley-Myers*  
**CHLORA LINDLEY-MYERS**  
**DIRECTOR**

## **NOTICE**

**TO: Applicant and any unnamed persons aggrieved by this Order:**

You may request a hearing in this matter. You may do so by filing a complaint with the Administrative Hearing Commission of Missouri, P.O. Box 1557, Jefferson City, Missouri, within 30 days after the mailing of this notice pursuant to Section 621.120, RSMo. Pursuant to 1 CSR 15-3.290, unless you send your complaint by registered or certified mail, it will not be considered filed until the Administrative Hearing Commission receives it.

[The remainder of this page intentionally left blank.]



**CERTIFICATE OF SERVICE**

I hereby certify that on this 18th day of March, 2022, a copy of the foregoing Order and Notice was served upon the Renewal Applicant in this matter by United Parcel Service, with signature required, at the following addresses:

Robert Woodson McMillin      Tracking No. 1Z0R15W8A897358367  
5317 Turtle Point Lane  
Knoxville, TN 37919-9340

Robert Woodson McMillin      Tracking No: 1Z0R15W8A896768372  
1201 Pacific Avenue  
Suite 1000  
Tacoma, WA 98402-4321



Kathryn Latimer, Paralegal  
Missouri Department of Commerce  
and Insurance  
301 West High Street, Room 530  
Jefferson City, Missouri 65101  
Telephone: 573.751.2619  
Facsimile: 573.526.5492  
Email: Kathryn.latimer@insurance.mo.gov