



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

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

In the Matter of:

STEVE ROGERS,

Respondent.

)  
)  
)  
)  
)

Case No. 11-0830650C

**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, Mary S. Erickson, and Respondent Steve Rogers, 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,<sup>1</sup> include supervision, regulation, and discipline of insurance producers and business entity producers.

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

<sup>1</sup> All statutory references are to the 2011 Supplement to the Revised Statutes of Missouri unless otherwise noted.

under the insurance laws of this state and is authorized to initiate this action before the Director to enforce the insurance laws of this state.

3. The Department originally issued a nonresident insurance producer license to Steve Rogers ("Rogers") on April 18, 2009, license number 8026689, which is currently active.

4. On or about February 26, 2010, in *In the Matter of Steve Rogers, Licensee*, No. 10-0044, the State of Washington Office of Insurance Commissioner ("Washington") revoked the license of Rogers effective March 18, 2010.

5. Rogers failed to report the Washington administrative action to the Director within 30 days of the final disposition and failed to provide a copy of the order or other relevant legal documents.

6. On or about October 7, 2010, in *In the Matter of Steve Rogers, Licensee*, Final Decision INS 10-16, the South Dakota Department of Revenue and Regulation Division of Insurance ("South Dakota") revoked the Non Resident Insurance Producer License of Rogers.

7. Rogers failed to report the South Dakota administrative action to the Director within 30 days of the final disposition and failed to provide a copy of the order or other relevant legal documents.

8. On or about January 29, 2011, Rogers submitted an electronic nonresident renewal application to the Department ("January 2011 Application").

9. Background Question No. 2 on the January 2011 Application asks:

Have you been named or involved as a party in an administrative proceeding regarding any professional or occupational license or registration, which has not been previously reported to this state?

10. Rogers answered "No" to Question No. 2.

11. By letter dated February 17, 2011, United States mail, postage prepaid, the Division sent Rogers written correspondence to the address provided on the January 29, 2011 Application requesting he explain the circumstances of the Washington and South Dakota revocations and provide certified copies of such revocations by March 10, 2011.

12. The Division did not receive a response from Rogers to the February 17, 2011 letter, nor did Rogers provide a reasonable justification for the delay.

13. The February 17, 2011 letter was not returned by the U.S. Postal Service as undeliverable.

14. On or about April 26, 2011 the Department received a Uniform Application for Individual Producer License Renewal/Continuation ("April 2011 Application") dated April 22, 2011 from Rogers.

15. In the April 2011 Application, Rogers disclosed only the Washington revocation, not the South Dakota revocation.

16. In light of these facts, Rogers's nonresident insurance producer license is subject to discipline on the following grounds:

- a. By failing to disclose the Washington revocation on his January 2011 Application, Rogers intentionally provided materially incorrect, misleading, incomplete or untrue information on his license application and attempted to obtain renewal of his license through material misrepresentation, which are grounds to discipline his insurance producer license under § 375.141.1(1) & (3).
- b. By failing to disclose the South Dakota revocation on either his January 2011 Application nor his April 2011 Application, Rogers intentionally provided materially incorrect, misleading, incomplete or untrue information on his license

application and attempted to obtain renewal of his license through material misrepresentation, which are grounds to discipline his insurance producer license under § 375.141.1(1) & (3).

- c. Rogers failed to report the Washington and South Dakota revocations to the Director within 30 days of the final disposition of the matters, thereby violating § 375.141.6, an insurance law of this state, which is grounds to discipline his insurance producer license under to § 375.141.1(2).
- d. Rogers had an insurance producer license, or its equivalent, revoked in Washington and South Dakota, which are grounds to discipline his insurance producer license under § 375.141.1(9).
- e. Rogers failed to respond to an inquiry of the Consumer Affairs Division as required by 20 CSR 100-4.100(2)(A), thereby violating an insurance law, which is grounds for discipline under § 375.141.1(2).

17. On October 27, 2011, the Director filed a Complaint with the Administrative Hearing Commission seeking cause to discipline Rogers's nonresident insurance producer license. *Director v. Steve Rogers*, Mo. Adm. Hrg. Comm'n, No. 11-2125 DI.

18. Rogers acknowledges and understands that he has the right to consult counsel at his own expense.

19. Rogers stipulates and agrees to waive any rights that he 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 release and hold harmless the Department, the Director, his agents, and the Consumer

Affairs Division from all liability and claims arising out of, pertaining to, or relating to this matter.

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

21. 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.

22. The parties agree that neither party is the prevailing party, and each party will bear its own attorneys' fees and costs.

#### **Conclusions of Law**

23. The actions admitted by Rogers are grounds to discipline his Missouri nonresident insurance producer license pursuant to §§375.141.1(1), (2), (3), and (9).

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

25. 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.

#### **Settlement Terms and Orders**

IT IS ORDERED that Steve Rogers shall respond to all inquiries and consumer complaints forwarded or otherwise communicated to him by the Department of Insurance, Financial Institutions and Professional Registration within three business days of receipt. Such

response shall only be by Steve Rogers personally or by and through an attorney representing Steve Rogers;

IT IS FURTHER ORDERED that Steve Rogers shall report to the Department of Insurance, Financial Institutions and Professional Registration any administrative action taken against him in another jurisdiction or by another governmental agency in this state within three business days after he receives notification of the initiation of such administrative action;

IT IS FURTHER ORDERED that Steve Rogers shall report to the Department of Insurance, Financial Institutions and Professional Registration any violation of or failure to comply with the laws set forth in Chapters 374 and 375 and all regulations promulgated thereunder within three business days of such violation or failure to comply;

IT IS FURTHER ORDERED that within five business days after the Director executes and issues this Consent Order, the Division will dismiss, without prejudice, *Director v. Steve Rogers*, Mo. Adm. Hrg. Comm'n, No. 11-2125 DI, pending before the Administrative Hearing Commission;

IT IS FURTHER ORDERED that Steve Rogers shall pay the total amount of one thousand five hundred dollars (\$1,500.00) as a forfeiture as authorized by § 374.046.15, and pursuant to §§ 374.280, payable to the Missouri State School Fund for the above-described violations, in accordance with §§ 374.049.11 and 374.280.2, and Article IX, Section 7 of the Constitution of Missouri;

IT IS FURTHER ORDERED that such payment shall be due immediately by money order or cashier's check made payable to the Missouri State School Fund, and shall be forwarded with this executed Consent Order to the attention of Mary S. Erickson, Missouri Department of Insurance, Financial Institutions and Professional Registration, P.O. Box 690, Jefferson City,

Missouri, 65102. Any correspondence and/or money order or cashier's checks shall reference the case name and number appearing at the top of this Order; and

IT IS FURTHER ORDERED that if Steve Rogers violates or otherwise fails to comply with the terms and conditions of this Consent Order, the Director may pursue additional legal remedies, as necessary and without limitation, as authorized by Chapters 374 and 375, RSMo.

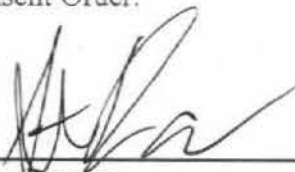
SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 13<sup>TH</sup> DAY OF MARCH, 2012.



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

  
\_\_\_\_\_  
Steve Rogers  
1400 S. Wolf Rd. Bldg. 500  
Wheeling, IL 60090-6588  
Telephone: 800-442-9899, Ext. 570

3-9-12  
\_\_\_\_\_  
Date

Respondent

N/A  
\_\_\_\_\_  
Name: \_\_\_\_\_  
Missouri Bar No. \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
Telephone: \_\_\_\_\_  
Fax: \_\_\_\_\_

\_\_\_\_\_  
Date

Counsel for Respondent

  
\_\_\_\_\_  
Mary S. Erickson  
Counsel for Consumer Affairs Division  
Missouri Bar No. 42579  
Department of Insurance, Financial  
Institutions and Professional Registration  
301 West High Street, Room 530  
Jefferson City, Missouri 65101  
Telephone: (573) 751-2619  
Fax: (573) 526-5492

3/13/12  
\_\_\_\_\_  
Date