



DEPARTMENT OF INSURANCE, FINANCIAL
INSTITUTIONS AND PROFESSIONAL REGISTRATION

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

IN RE:

FRANK S. NORPHY.

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DIFP File No. 090306364C

AHC Case No. 09-0530 DI

FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DISCIPLINE

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration hereby makes the following findings of fact, conclusions of law and order:

FINDINGS OF FACT

1. John M. Huff is the Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter, "Director" of the "Department") whose duties, pursuant to Chapters 374 and 375 RSMo (Supp. 2010)¹ include the supervision and regulation of Missouri insurance producers.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration ("Department") issued Frank S. Norphy resident insurance producer license (No. PR359303) on November 15, 2005. Such license was suspended for tax non-compliance on June 12, 2008, and expired November 15, 2009. Norphy applied for

late renewal of his license, but the Director refused his license on February 25, 2010.

3. On September 2, 2009, the Director filed a Second Amended Complaint with the Administrative Hearing Commission, seeking a finding that sufficient cause existed for disciplining Norphy's insurance producer license pursuant to §§375.141.1(2), 375.141.1(5), 375.141.1(7), and 375.141.1(8), RSMo (Supp. 2008).

4. The Administrative Hearing Commission held a hearing on the Second Amended Complaint on August 30, 2010, but Norphy did not appear personally or through counsel.

5. The Administrative Hearing Commission issued its Decision on March 15, 2011 finding cause to discipline Norphy's license pursuant to §§375.141.1(2), (7) and (8).

6. The Administrative Hearing Commission certified its record of the proceeding pursuant to §621.110.

7. On April 20, 2011, Norphy was mailed a notice of the disciplinary hearing to be held at 9:30 a.m. on May 10, 2011, in the Department's offices, 301 West High Street, Room 530, Jefferson City, Missouri. The notice was sent by U.S. Mail to Norphy's last known address with sufficient postage attached. The notice was not returned to the Department as undeliverable and there was evidence that the notice was delivered.

8. Norphy did not appear at the disciplinary hearing. At the hearing, counsel presented the Decision and record of the Administrative Hearing Commission and, based on the recommendation of the Investigations Section to revoke, recommended to the Hearing Officer that Norphy's Missouri insurance producer license be revoked.

¹ All statutory references are to the Revised Statutes of Missouri (Supp. 2010) unless otherwise noted.

9. The Director hereby adopts and incorporates the March 15, 2011, "Decision" of the Administrative Hearing Commission referenced herein and does hereby find in accordance with the same.

CONCLUSIONS OF LAW

10. Pursuant to §375.141 and §621.110 RSMo (2000), the Director has the discretion to discipline Norphy's insurance producer license, including revocation of such license.

11. Based on the nature and severity of Norphy's conduct, sufficient grounds exist to revoke Norphy's insurance producer license pursuant to §§ 375.141.1(2), (7) and (8).

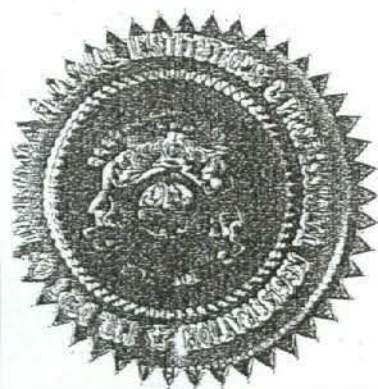
ORDER OF DISCIPLINE

Based on the evidence presented and the recommendation to revoke, the insurance producer license of Frank S. Norphy (No. PR359303) is hereby REVOKED.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 30TH DAY OF JUNE, 2011.



JOHN M. HUFF, Director
Missouri Department of
Insurance, Financial
Institutions and Professional
Registration



CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing, including all attachments, was mailed, with sufficient postage attached, through the United States Postal Service priority mail # 0307 3330 0000 7083 1510, on this 11th day of August, 2011 to:

Frank S. Norphy
3001 South Hall Avenue
Independence, Missouri 64052

Kathryn Randolph