



DEPARTMENT OF COMMERCE AND INSURANCE

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

IN RE:

TODD M. CANNON

Renewal Applicant.

Case No. 2406240554C

**ORDER REFUSING TO RENEW AN
INSURANCE PRODUCER LICENSE**

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

FINDINGS OF FACT

1. Todd M. Cannon (“Cannon”) is a Missouri resident whose residential, business, and mailing address is 12400 Bennington Avenue, Grandview, Missouri 64030.
2. Cannon first received a Missouri resident insurance producer license from the Department on June 26, 2012 (license number 8171377). This license is due to expire on July 10, 2024.
3. On October 20, 2023, Cannon was involuntarily terminated from American National Insurance Company (“American National”), for cause, due to Cannon’s use of fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.

4. On October 27, 2023, the Department received a letter from American National advising of Cannon's termination for cause.
5. On November 6, 2023, the Department received a fraud report from American National regarding Cannon (Fraud Report ID 6756478518). The fraud report indicated that American National received a claim for a death benefit on May 23, 2023, regarding the death of T.F. During the contestability review, it was found that T.F.'s date of death was April 29, 2023; however, the life insurance application submitted by Cannon was dated May 2, 2023. Cannon stated to American National that T.F. completed the application electronically on April 27, 2023, but Cannon was not able to submit the application to the company until May 2, 2023. Electronic documentation from American National found that the policy was completed and submitted on May 2, 2023. Cannon witnessed a policy delivery receipt on May 30, 2023, and stated that he witnessed E.E., beneficiary for the policy, forge T.F.'s signature. American National advised that the claim was under legal review, and that Cannon was terminated for cause. The fraud report further advised that Cannon was also the subject of another fraud investigation by American National.
6. Also on November 6, 2023, the Department received a second fraud report from American National regarding Cannon (Fraud Report ID 204654034). The fraud report indicated that American National received a claim for a death benefit on August 2, 2023, regarding the death of L.C. During the contestability review, it was found that while the insured died from homicide, there were adverse medical issues omitted from the application. Cannon indicated that L.C. was visiting him and requested a life insurance policy, and that a policy application was completed on April 24, 2023; however, records obtained indicated that the insured was under hospice care in Nebraska and that medical notes were entered on the date that the application was completed, so L.C. could not have been visiting Cannon at that time. American National advised that the claim was under legal review, and that Cannon had been terminated for cause. The fraud report further advised that Cannon was also the subject of another fraud investigation by American National.
7. On November 16, 2023, American National provided records in response to Chief of Investigations Marjorie Thompson's ("Thompson") inquiry regarding Cannon's October 20, 2023 termination.
 - a. These records included an Investigative Summary report regarding the policy issued and claim filed for T.F., which indicated the following:
 - i. T.F., the deceased insured, was shot on April 27, 2023, and died from injuries sustained in the shooting on April 29, 2023.

- ii. The life insurance policy application (Policy #17008142) regarding T.F. was completed on May 2, 2023, three days after the insured was declared deceased.
- iii. Cannon was the writing agent listed on the policy application, and the signatures found on application documentation appeared to be signed by a stylus on Cannon's tablet.
- iv. Policy #17008142 was issued on May 2, 2023, with a monthly premium payment of \$26.00. The premium appeared to be collected by Cannon. The primary beneficiaries listed were R.B., mother of T.F., and E.E., sibling or uncle of T.F.¹
- v. There was a Delivery Receipt found in the policy file with a signature for T.F. and dated May 30, 2023, even though T.F. passed away on April 29, 2023.
- vi. According to a Soliciting Agent's Statement dated August 15, 2023, submitted by Cannon to American National, Cannon indicated the application was completed on May 2, 2023. Cannon stated T.F. provided the answers on the application and that Cannon was unaware of any adverse health, adverse mental health, or any drug or alcohol abuse by T.F. Cannon indicated he did personally witness T.F. sign the application.
- vii. R.B. and E.E. both provided Beneficiary's Statements to American National, dated August 16, 2023. Both individuals stated that the policy application was completed April 27, 2023. Cannon, R.B., E.E., and T.F. were all listed as being present when the application was completed. R.B. and E.E. both stated that they had no knowledge of any adverse health, adverse mental health, or drug or alcohol abuse by T.F. Both individuals also indicated that they both personally witnessed T.F. sign the application on April 27, 2023.

¹ There were discrepancies found regarding the true relation of E.E. to T.F. E.E. was noted as a sibling of T.F. on the policy application, but was noted as uncle to T.F. on claim documentation.

- viii. According to records obtained by American National, T.F. had an adverse criminal history, to include drug use, as well as an adverse mental health history. None of the adverse information was marked on the application for Policy #17008142.
 - ix. Upon review of the information gathered during its investigation, American National concluded that Cannon submitted the life insurance policy application on T.F. after T.F. was already deceased.
- b. These records included a second Investigative Summary report regarding the policy issued and claim filed for L.C., which indicated the following:
- i. The life insurance policy application (Policy #17007149) regarding L.C. was completed on April 24, 2023.
 - ii. Cannon was the writing agent listed on the policy application, and the signatures found on application documentation appeared to be signed by a stylus on Cannon's tablet.
 - iii. Policy #17007149 was issued on April 25, 2023, with a monthly premium payment of \$38.00. The application indicated that the premiums would be paid by the owner, who was listed as Cannon, beneficiary and brother of L.C.
 - iv. L.C. was found to be killed in a homicide on July 13, 2023.
 - v. A claim on Policy #17007149 was submitted by Cannon on August 2, 2023.
 - vi. Upon review of the claim, it was discovered that on the policy application, Cannon stated that he did not know L.C.; however, they were siblings.
 - vii. Also upon review of the claim, it was discovered that on the policy application, L.C. was stated to be 5'6" in height, and 170 pounds. No adverse medical history was marked on the application. Medical records revealed that L.C. was diagnosed with cancer prior to the issuance of the policy. Medical records further revealed that L.C. was 5'2" in

height, with recorded weights of 370 pounds in September 2022, 378 pounds in January 2023, and 353 pounds in June 2023.

- viii. Upon review of the claim, it was discovered that the policy application states that L.C.'s address was the same as Cannon's address in Missouri; however, L.C. was born in, lived in, worked in, and died in Nebraska.
 - ix. According to a Soliciting Agent's Statement dated August 29, 2023, submitted by Cannon to American National, Cannon indicated that L.C. was present and provided the answers to the application, that he had no knowledge of any adverse health issues, and that he did personally witness L.C. sign the application.
 - x. Review of L.C.'s hospice medical records indicated that L.C. was assessed and treated at her home in Nebraska on April 24, 2023, the same date as the application was completed by Cannon.
 - xi. Upon review of the information gathered during its investigation, American National concluded that Cannon submitted the life insurance policy application regarding L.C. that was not personally signed by L.C., and that Cannon did not meet with L.C. at his residence on April 24, 2023.
8. On December 14, 2023, Special Investigator Angie Gross ("Gross") with the Consumer Affairs Division ("Division") sent an inquiry by email to Cannon at his email address of record. The inquiry asked that Cannon provide a detailed letter of explanation regarding the stated allegations and answer questions presented in the correspondence. The correspondence cited 20 CSR 100-4.100, notified Cannon that his response was required within twenty days, and indicated that failure to respond could result in disciplinary action by the Department.
9. On or about December 16, 2023, Cannon provided two handwritten lists of brief, incomplete answers to the questions presented in the Division's December 14, 2023 inquiry email. Cannon did not provide a detailed letter of explanation regarding the allegations, as directed by the December 14, 2023 correspondence.

10. On March 5, 2024, Cannon appeared for a conference before the Director, pursuant to a subpoena issued on February 14, 2024.
 - a. During the subpoena conference, Cannon stated, under oath, that L.C. was not present with him at the time he completed the application regarding Policy #17007149. Cannon advised that L.C. gave him the information over the telephone.
 - b. During the subpoena conference, when asked who signed L.C.'s name on the application for Policy #17007149, Cannon stated, under oath, that "I put [L.C.]'s name on there, yes." Cannon was again asked, "You signed [L.C.]'s name on it?" regarding the policy application, to which Cannon responded, "Yes."
 - c. Also during the subpoena conference, when Cannon was shown the policy billing information form regarding Policy #17007149, Cannon advised, under oath, that he completed that form. Cannon was further asked, "And who signed the proposed insured's name?" to which Cannon responded, "I did. I signed it."
 - d. Cannon participated in responding to additional questions from the Division; however, Cannon declared himself to be "dismissed" and left the subpoena conference prior to its conclusion. Cannon was reminded of his obligation for compliance with the subpoena and the insurance laws at the beginning of the conference, and prior to leaving the conference, to include that if he left the subpoena conference, that the Department could take disciplinary action on his license due to his failure to respond to the Department's questions. Cannon chose to leave the subpoena conference, and refused to answer further questions from the Division.
11. On April 16, 2024, the Department received Cannon's application for renewal of his resident insurance producer license ("Application").

CONCLUSIONS OF LAW

12. Section 375.141.1, RSMo² states, in relevant part:

² All civil statutory references are to the Revised Statutes of Missouri (2016) unless otherwise indicated.

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:

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

* * *

(7) Having admitted or been found to have committed any insurance unfair trade practice or fraud;

(8) Using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere;
[or]

* * *

(10) Signing the name of another to an application for insurance or to any document related to an insurance transaction without authorization[.]

13. Section 374.210.2(7) RSMo states, in relevant part:

The director may also suspend, revoke or refuse any license or certificate of authority issued by the director to any person who does not appear or refuses to testify, file a statement, produce records, or does not obey a subpoena.

14. The Director may refuse to renew Cannon’s resident insurance producer license pursuant to §§ 375.141.1(2) and 374.210.2(7) because Cannon violated and did not obey the Director’s February 14, 2024 Subpoena. The subpoena directed Cannon to appear before the Director or her appointee on March 5, 2024, and to answer questions concerning his termination for cause from American National Insurance Company. Although Cannon did initially appear for the subpoena conference, he declared himself to be “dismissed” and left the conference before the conference had concluded, and refused to answer further questions from the Division.

15. The Director may refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(7) because Cannon admitted to having committed fraud when he signed L.C.'s name to the application for Policy #17007149.³ See generally *Okolie v. Director, Dep't of Ins., Fin. Insts. & Prof'l Regis'n*, Case No. 13-1423 DI (Mo. Admin. Hrg. Comm'n, January 10, 2014).
16. The Director may refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(7) because Cannon admitted to having committed fraud when he signed L.C.'s name to the policy billing information form regarding Policy #17007149. See generally *Okolie v. Director, Dep't of Ins., Fin. Insts. & Prof'l Regis'n*, Case No. 13-1423 DI (Mo. Admin. Hrg. Comm'n, January 10, 2014).
17. Each instance in which Cannon admitted to having committed fraud constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(7).
18. The Director may also refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(8) because Cannon used fraudulent or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, when he submitted the life insurance policy application for Policy #17008142 regarding T.F. after T.F. was already deceased.
19. The Director may refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(8) because Cannon used fraudulent or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, when he fraudulently signed L.C.'s name to the application for Policy #17007149.
20. The Director may refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(8) because Cannon used fraudulent or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, when he fraudulently signed L.C.'s name to the policy billing information form regarding Policy #17007149.
21. Each instance in which Cannon used fraudulent or dishonest practices, or demonstrated incompetence, untrustworthiness, or financial irresponsibility in the conduct of business in this state, constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(8).

³ "Fraud is defined 'generally under the common law as an intentional perversion of truth to induce another, or to act in reliance upon it.'" ... "Okolie's conduct was not worthy of confidence because he forged two purported consumers' signatures. Okolie committed fraud because he intended for [Coventry Healthcare] to rely on the forged signatures." *Okolie v. Director, Dep't of Ins., Fin. Insts. & Prof'l Regis'n*, Case No. 13-1423 DI at 8-9 (Mo. Admin. Hrg. Comm'n, January 10, 2014).

22. The Director may further refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(10) because Cannon signed the name of another to an application for insurance or to any document related to an insurance transaction without authorization, when he fraudulently signed L.C.'s name to the application for Policy #17007149.
23. The Director may refuse to renew Cannon's resident insurance producer license pursuant to § 375.141.1(10) because Cannon signed the name of another to an application for insurance or to any document related to an insurance transaction without authorization, when he fraudulently signed L.C.'s name to the policy billing information form regarding Policy #17007149.
24. Each instance in which Cannon signed the name of another to an application for insurance or to any document related to an insurance transaction without authorization constitutes a separate and sufficient cause for refusal pursuant to § 375.141.1(10).
25. The Director has considered Cannon's history and all of the circumstances surrounding Cannon's Application, and exercises her discretion to refuse to renew Cannon's resident insurance producer license.
26. This Order is in the public interest.

ORDER

IT IS THEREFORE ORDERED that the Application of **TODD M. CANNON** is hereby **REFUSED**.

SO ORDERED.

WITNESS MY HAND THIS 08th **DAY OF** July, 2024.



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.

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CERTIFICATE OF SERVICE

I hereby certify that on this 9th day of July 2024, a copy of the foregoing Order and Notice was served upon the Applicant in this matter by UPS, signature required, at the following address:

Todd M. Cannon
12400 Bennington Avenue
Grandview, Missouri 64030

Tracking No. 1Z0R15W8A897154916



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