

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

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

**IN RE:**

**LISA R. WERLE,**

**Applicant.**

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**Case No. 131001542C**

**CONSENT ORDER**

John M. Huff, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, takes up the above matter for consideration and disposition. The Consumer Affairs Division, through legal counsel Mark J. Rachel, and Lisa R. Werle have reached a settlement in this matter and have agreed 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. (Supp. 2013),<sup>1</sup> include the licensure, regulation, and discipline of insurance producers.

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri (2000) as updated by the RSMo. Supplement 2013 unless otherwise noted.

2. The Consumer Affairs Division (“Division”) of the Department has the duty of conducting investigations into the qualifications of insurance producer license applicants under the insurance laws of Missouri and has been authorized by the Director to investigate and initiate actions before the Director to enforce the insurance laws of Missouri, including insurance producer license application refusal.

3. On April 21, 2011, Lisa R. Werle (“Werle”) pled guilty to Driving While Intoxicated – Persistent Offender, a Class D Felony, in violation of § 577.010, RSMo. (Supp. 2009). The court sentenced Werle to four years’ incarceration, but suspended execution of the sentence and ordered Werle to serve three years’ supervised probation. *State v. Lisa Werle*, Platte Co. Cir. Ct., Case No. 10AE-CR01458-01.

4. On June 20, 2013, Werle was discharged early from supervised probation. *Id.*

5. On July 8, 2013, the Department electronically received Werle’s Uniform Application for Individual Producer License/Registration (“Application”). With her Application, Werle also submitted a letter dated July 8, 2013 “to inform [the Director] of [her] previous DWI conviction[.]”

6. Werle responded “Yes” to Background Question Number 1 of the Application which reads, in relevant part: “Have you ever been convicted of a crime, had a judgment withheld or deferred, or are you currently charged with committing a crime?”

7. Dana Whaley, a Special Investigator for the Division (“Special Investigator Whaley”), mailed Werle an inquiry letter by first class mail dated July 22, 2013 that referenced Werle’s disclosure of her felony conviction. The letter advised Werle that a “felony conviction is grounds for refusal to issue a license,” and asked Werle “to provide an

explanation of [her] history of DWI convictions, and what [she] has done to prevent future convictions.”

8. On August 9, 2013, the Division received a letter addressed to Special Investigator Whaley in which Werle provided more background information regarding her DWI convictions, explained several steps she has taken to rehabilitate herself, and set forth her desire to continue developing her career as an insurance producer.

9. Werle acknowledges and understands that pursuant to § 375.141.1(6) the Director may refuse to issue her an insurance producer license because she has been convicted of a felony.

10. Werle acknowledges and understands that she has the right to consult an attorney at her own expense.

11. Werle stipulates and agrees to waive any waivable 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 Division from all liability and claims arising out of, pertaining to, or relating to this matter.

12. Werle acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Werle further acknowledges and understands that this administrative action should be disclosed on future license applications and renewal applications in this state and in other jurisdictions, and that it is her responsibility to comply with the reporting requirements of each state in which she may be licensed.

13. 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 representative capacity, to be bound by the terms of this Consent Order.

### **CONCLUSIONS OF LAW**

14. The facts hereby admitted by Werle constitute cause for the Director to refuse her Application pursuant to § 375.141.1(6).

15. The Director may issue orders in the public interest pursuant to § 374.046.

16. The terms set forth in this Consent Order are an appropriate disposition of this matter and issuance of this Consent Order is in the public interest.

### **ORDER**

IT IS ORDERED that the Department will issue a resident insurance producer license to Lisa R. Werle, subject to the conditions set forth herein and the following special conditions:

1. Lisa R. Werle shall report to the Consumer Affairs Division any violation of or failure to comply with Missouri insurance regulations and Missouri insurance laws, including those set forth in Chapters 374 or 375, within five (5) business days of such violation or failure to comply.

2. Lisa R. Werle shall respond to all inquiries from the Department in accordance with 20 CSR 100-4.100(2)(A).

3. If a consumer complaint is communicated directly to Lisa R. Werle, she shall send the Department a copy of the complaint and a copy of her response to the consumer within five (5) business days of receipt of the consumer complaint.

4. Lisa R. Werle shall report to the Consumer Affairs Division any and all of the following incidents involving her: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or a misdemeanor. Lisa R. Werle shall report all such incidents to the Consumer Affairs Division within five (5) business days of their occurrence.

5. Lisa R. Werle will voluntarily surrender her resident insurance producer license to the Department within five (5) business days of any of the following incidents involving her: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor, regardless of whether any associated sentence is imposed, suspended, or executed.

6. Lisa R. Werle shall report to the Consumer Affairs Division any administrative action taken against her by any other state or federal governmental agency in Missouri or any other jurisdiction within five (5) business days of the final disposition of such administrative action.

7. The special conditions listed in paragraphs 1 through 6 above will expire upon the earlier of the expiration or renewal of Lisa R. Werle's resident insurance producer license, or the refusal on renewal or revocation of her resident insurance producer license.

IT IS FURTHER ORDERED that if Lisa R. Werle maintains her insurance producer license beyond the initial term and complies with the terms of this Consent Order, she may apply to renew her insurance producer license and the Director shall consider the renewal application in accordance with Chapters 374 and 375 but without regard to Werle's prior

criminal prosecution, or the associated conduct, in *State v. Lisa Werle*, Platte Co. Cir. Ct., Case No. 10AE-CR01458-01.

IT IS FINALLY ORDERED that the Director may pursue additional legal remedies, as determined appropriate by the Director and without limitation, as authorized by Chapters 374 and 375, including remedies for violation of, or failure to comply with, the terms of this Consent Order.

SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 9 DAY  
OF October, 2014.




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**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 Lisa R. Werle has the right to a hearing, but that Lisa R. Werle has waived the hearing and consented to the issuance of this Consent Order.

  
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Date 10/3/2014  
10/3/2014

**Counsel for Applicant**  
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10/07/14  
Date