



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

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

IN RE:)
)
NATHAN JENSON HORNE,) **Case No. 140922666C**
)
Applicant.)

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 Nathan Jenson Horne 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,¹ include the licensure, supervision, regulation, and discipline of insurance producers in the State of Missouri.

¹ All statutory references are to the 2000 Missouri Revised Statutes, as updated by the 2014 RSMo Supplement, 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 and has been authorized by the Director to initiate actions before the Director to enforce the insurance laws of Missouri, including insurance producer license application refusal and insurance producer license discipline.

3. On February 8, 2013, Applicant Nathan Jenson Horne (“Horne”) pled guilty to Driving While Intoxicated - Persistent Offender, a Class D Felony, in violation of § 577.010, RSMo (Supp. 2011). The court convicted Horne and sentenced him to four years’ incarceration, but suspended execution of the sentence and ordered Horne to serve five years’ supervised probation. *State v. Nathan J. Horne*, Greene Co. Cir. Ct., Case No. 1231-CR06829-01.

4. On or about August 13, 2014, the Department received Horne’s Uniform Application for Individual Producer License/Registration (“Application”).

5. Horne disclosed his criminal history on his Application and provided the Department with court records.

6. On November 5, 2014, Horne was discharged from probation and parole supervision in *State v. Nathan J. Horne*, Greene Co. Cir. Ct., Case No. 1231-CR06829-01.

7. Horne acknowledges and understands that pursuant to § 375.141.1(6) the Director may refuse to issue him a resident insurance producer license because he has been convicted of a felony.

8. Horne acknowledges and understands that he has the right to consult an attorney at his own expense.

9. Horne stipulates and agrees to waive any waivable 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 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.

10. Horne acknowledges and understands that this Consent Order is an administrative action and will be reported by the Department to other states. Horne 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 his responsibility to comply with the reporting requirements of each state in which he may be licensed.

11. 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

12. The foregoing facts hereby admitted by Horne constitute cause for the Director to refuse his Application pursuant to § 375.141.1(6).

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

14. 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 Nathan Jenson Horne, subject to the conditions set forth herein and the following special conditions:

1. Nathan Jenson Horne 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 and 375, within five (5) business days of such violation or failure to comply.

2. Nathan Jenson Horne shall respond to all inquiries from the Department in accordance with 20 CSR 100-4.100.

3. If a consumer complaint is communicated directly to Nathan Jenson Horne, he shall send the Department a copy of the complaint and a copy of his response to the consumer within five (5) business days of receipt of the consumer complaint.

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

5. Nathan Jenson Horne shall report to the Consumer Affairs Division any administrative action taken against him 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.

6. Nathan Jenson Horne shall voluntarily surrender his resident insurance producer license to the Department within five (5) business days of any of the following incidents involving him: guilty plea, Alford plea, nolo contendere plea, finding of guilt, or conviction concerning a felony or misdemeanor, regardless of whether any associated sentence is suspended or executed.

7. The special conditions listed in the preceding six (6) paragraphs will expire upon the earlier of the expiration or renewal of Nathan Jenson Horne's two (2) year resident insurance producer license or revocation of Nathan Jenson Horne's resident insurance producer license.

IT IS FURTHER ORDERED that Nathan Jenson Horne shall comply fully with all court orders and other requirements relating to *State v. Nathan J. Horne*, Greene Co. Cir. Ct., Case No. 1231-CR06829-01.

IT IS FURTHER ORDERED and Nathan Jenson Horne agrees that this Consent Order authorizes the Director to access, without redaction, any and all court records, or the records of any other government entity, pertaining to any criminal proceeding against him, including *State v. Nathan J. Horne*, Greene Co. Cir. Ct., Case No. 1231-CR06829-01. This authorization includes, but is not limited to, chemical test results, probation


records and status, sentencing advisory reports, or other presentencing investigation reports.

IT IS FURTHER ORDERED that if Nathan Jenson Horne maintains his resident insurance producer license beyond the initial term and complies with the terms of this Consent Order, he may apply to renew his resident insurance producer license and the Director shall consider the renewal application in accordance with Chapters 374 and 375 but without regard to the criminal prosecution, or the associated conduct, in *State v. Nathan J. Horne*, Greene Co. Cir. Ct., Case No. 1231-CR06829-01.

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 violating or failing to comply with the terms of this Consent Order.


SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 30TH
DAY OF DECEMBER, 2014.




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 Nathan Jenson Horne has the right to a hearing, but that Nathan Jenson Horne has waived the hearing and consented to the issuance of this Consent Order.



Nathan Jenson Horne, Applicant
2649 East Loren Street
Springfield, Missouri 65804-0507
Telephone: (417) 771-9999
Email: N8HORNE@hotmail.com


22 DEC 2014

Date

Counsel for Applicant
Name: _____
Missouri Bar No. _____
Address: _____

Telephone: _____
Facsimile: _____
Email: _____

Date



Mark J. Rachel, Missouri Bar #66167
Counsel for Consumer Affairs Division
Department of Insurance, Financial
Institutions and Professional Registration
301 West High Street, Room 530
Jefferson City, Missouri 65101
Telephone: (573) 751-2619
Facsimile: (573) 526-5492
Mark.Rachel@insurance.mo.gov

29 December 2014

Date