

STATE OF INDIANA )  
 )  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NUMBER: 14082-AD15-0421-015

IN THE MATTER OF: )  
 )  
Insurance Producer License )  
Application of: )  
 )  
Shannon Meegan )  
6530 Alexander Avenue )  
Hammond, IN 46323 )  
 )  
Applicant )

**FILED**

DEC 04 2015

STATE OF INDIANA  
DEPT. OF INSURANCE

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**FINAL ORDER**

On October 30, 2015, the Administrative Law Judge, Amy L. Beard, filed her Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order and Notice of Filing Recommended Order on Applicant by mailing the same to her home address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.


Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. The Preliminary Administrative Order and Notice of License Denial is UPHELD.
2. Applicant is DENIED an insurance producer license.

Under Ind. Code §4-21.5-5-5, Applicant has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 4<sup>th</sup> day of December, 2015.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

Shannon Meegan  
6530 Alexander Avenue  
Hammond, IN 46323

Brigitte Collier  
Indiana Department of Insurance  
Enforcement Division  
311 West Washington Street, Suite 103  
Indianapolis, IN 46204-2787

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SHANNON MEEGAN )  
6530 Alexander Avenue )  
Hammond, Indiana 46323, )  
 )  
Petitioner. )

**FILED**  
OCT 30 2015  
STATE OF INDIANA  
DEPT. OF INSURANCE

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**FINDINGS OF FACT, CONCLUSIONS OF LAW, AND RECOMMENDED ORDER**

Administrative Law Judge, Amy L. Beard, (“ALJ”), having considered and reviewed all of the evidence, now renders a decision in the matter of the Insurance Producer License Application of Shannon Meegan under Cause Number 14082-AD15-0421-015. This matter came to be heard telephonically by the ALJ at the Indiana Department of Insurance, 311 West Washington Street, Indianapolis, Indiana, on May 28, 2015.

The Petitioner, Shannon Meegan, (“Petitioner”) appeared telephonically and without legal counsel. The Respondent, the Indiana Department of Insurance (“Department”), was represented at the administrative hearing by legal counsel, Brigitte Collier. At the hearing, witnesses testified under oath, evidence was heard, and exhibits were received into evidence.

Based upon the evidence presented at the hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and Recommended Order pursuant to Indiana Code section 4-21.5-3-27.

## FINDINGS OF FACT

1. The Petitioner submitted an application for an insurance producer license (“Application”) to the Department. *Transcript of Hearing (“Tr.”) at p. 22.*
2. On her Application, the Petitioner disclosed that she had pleaded guilty to a federal felony in 2014. *Exhibit A (“Ex. A”); Tr. at p. 11, 22.*
3. On April 30 2015, the Commissioner issued a Preliminary Administrative Order and Notice of License Denial (“Denial Order”) denying the Petitioner’s Application. Specifically, the Petitioner’s request for licensure was denied because he had not fully met the requirements of licensure as stated in Indiana Code § 27-1-15.6-12 due to her federal Class C Felony conviction of Distribution of a Quantity of a Mixture or Substance Containing a Detectable Amount of Hydrocodone, a Schedule III Substance, in December 2014. *Denial Order; Tr. at p. 24.*
4. On or about May 1, 2015, the Petitioner requested a hearing to determine the reasonableness of the Commissioner’s decision to deny the Petitioner’s Application. *Notice of Hearing.*
5. An administrative hearing in this matter was held telephonically on May 28, 2015, at 1:00 p.m.
6. On February 19, 2014, a federal indictment was filed against the Petitioner. Count 1 of the indictment alleged, “From on or around January 26, 2006, and continuing to on or about August 31, 2012, in the Northern District of Indiana” the Petitioner distributed a “quantity of a mixture or substance containing a detectable amount of hydrocodone, a Schedule III controlled substance in violation of Title 21, United States Code Section 841(A)(1).” *Ex. A.*
7. On November 21, 2014, the Petitioner pleaded guilty to Count 1 of the

indictment. The guilty plea was accepted by the court on December 12, 2014. *Exhibit B* (“*Ex. B*”); *Tr. at p. 24, 26-27.*

8. At the administrative hearing in this matter, the Petitioner testified about the events surrounding the felony. The Petitioner had worked for a medical office. In 2006, the Petitioner, out of fear of losing a job and for financial reasons, agreed to act as middleman by taking narcotics from the medical office and giving them to another individual. The Petitioner continued such behavior over the span of a approximately five (5) years until stopping altogether in 2012. The Petitioner admitted to committing a felony and pleaded guilty. *Tr. at p. 10-11; Ex. A; Ex. B.*

9. The Petitioner submitted character letters into evidence at the administrative hearing. *Tr. at p. 12-13; Exhibit 3 (“Ex. 3”).*

10. Mr. Jason Rakos testified in-person as a witness for the Petitioner at the administrative hearing. Mr. Rakos is an insurance producer with State Farm and opened up his own insurance agency on May 1, 2015. Previously, he worked as an insurance producer for three (3) years for Liberty Mutual. Mr. Rakos testified that he has known the Petitioner for more than four (4) years. *Tr. at p. 18-20.*

11. Conclusions of Law that can be adopted as Findings of Fact are hereby incorporated herein as such.

#### CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action. *See I.C. §§ 27-1-15.6 et seq. and 4-21.5-3 et seq.*

2. This hearing was held in compliance with Indiana’s Administrative Orders and Procedures Act (“Act”), codified at I.C. § 4-21.5-3 *et seq.*

3. The Petitioner received notice of the Preliminary Administrative Order and Notice of License Denial, in compliance with I.C. §§ 4-21.5-3-1 and 27-1-15.6-12(d).

4. Pursuant to I.C. § 27-1-15.6-12(b)(6), the Commissioner may refuse to issue an insurance producer license to a person for having had been convicted of a felony.

5. On December 12, 2014, the United States District Court of the Northern District of Indiana accepted the Petitioner's guilty plea for the felony distribution of a quantity of a mixture or substance containing a detectable amount of hydrocodone, a Schedule III controlled substance in violation of Title 21, United States Code Section 841(A)(1).

6. While the Petitioner presented evidence showing that she is trying to leave her criminal actions in the past, it does not outweigh consideration of her having a federal felony conviction within the past year.

7. The Petitioner has not met her burden of proof and shown that the Denial Order was in error.

8. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

### **RECOMMENDED ORDER**

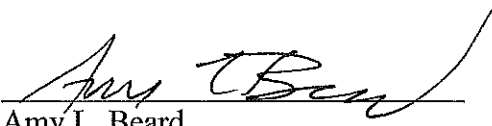
With the Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the Commissioner of Insurance the following:

1. The Preliminary Administrative Order and Notice of License Denial shall be upheld.

2. The Petitioner shall be DENIED an insurance producer license.

3. This does not prohibit the Petitioner from apply for an insurance producer license in the future.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to  
the Commissioner this 30 day of October 2015.

  
Amy L. Beard  
Administrative Law Judge

Distribution:

SHANNON MEEGAN  
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BRIGITTE COLLIER  
Attorney, Enforcement Division  
Indiana Department of Insurance  
311 West Washington Street, Suite 103  
Indianapolis, Indiana 46204

STATE OF INDIANA )  
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BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause No.: 14082-AD15-0421-015

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APPLICATION OF: )  
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Shannon Meegan, )  
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Hammond, IN 46323 )

**FILED**  
APR 30 2015  
STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

The Indiana Department of Insurance, pursuant to the Indiana Administrative Act, Indiana Code §4-21.5-1 *et seq.* and Indiana Code §27-1-15.6-12, hereby gives notice to Shannon Meegan (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on April 10, 2015.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code §27-1-15.6-6 and Indiana Code §27-1-15.6-12.
3. Indiana Code §27-1-15.6-12(b) provides, in part, that the Commissioner may refuse to issue or renew an insurance producer license for having been convicted of a felony.
4. Following a review of materials submitted by Applicant in support of his application, the Commissioner being fully advised, now hereby notifies Applicant that she has not fully met the requirements of licensure as stated by Indiana Code §27-1-15.6-12 due to her December 12, 2014 conviction of Distribution of a Quantity of a Mixture or Substance Containing a Detectable Amount of Hydrocodone, a Schedule III Substance, a federal Class C Felony.

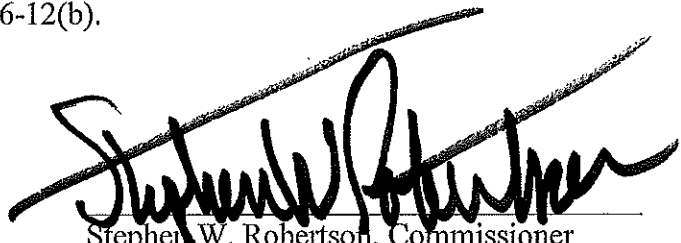


5. Indiana Code §27-1-15.6-12(d) provides that the applicant or licensee may, not more than sixty-three (63) days after notice of denial of the applicant's application or non renewal of the licensee's license is mailed, make written demand to the commissioner for a hearing before the commissioner to determine the reasonableness of the commissioner's action.

**IT IS THEREFORE ORDERED** that the Applicant's request for licensure is hereby DENIED pursuant to Indiana Code §27-1-15.6-12(b).

4/30/15

Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution:

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Hammond, IN 46323

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**CERTIFIED MAIL RECEIPT: 9214 8901 0661 5400 0057 3362 64**