

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 16544-AD17-1019-105

IN THE MATTER OF:)
)
INSURANCE PRODUCER LICENSE)
APPLICATION OF:)
)
Jacqueline M. Tegeler)
2005 E Franklin St)
Evansville, IN 47711)
)
Applicant.)

FILED

APR 03 2018

STATE OF INDIANA
DEPT. OF INSURANCE

FINAL ORDER

On February 9, 2018, the Administrative Law Judge, Reuben B. Hill, filed his 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 on Applicant by mailing the same to her 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. Applicant is Granted a resident producer license on a probationary period of two (2) years.

Under Ind. Code §4-21.5-5-5, Respondent 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 3 ^{April} day of March, 2018.


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Copies to:

Jacqueline M Tegeler
2005 East Franklin Street
Evansville, IN 47711

Claire Szpara, Attorney
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204

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**STATE OF INDIANA
DEPT. OF INSURANCE**

NOTICE OF FILING OF RECOMMENDED ORDER

The parties of this action are hereby notified that the Administrative Law Judge's
Recommended Order is deemed filed as of this date.

To preserve an objection to this order for judicial review, you must object to the order in
a writing that: 1) identifies the basis for your objection with reasonable particularity; and 2) is
filed with the ultimate authority for the Final Order, the Commissioner of the Department of
Insurance within eighteen (18) days from the date of this Order.

DATED: _____

2-8-18

:



Reuben B. Hill
Administrative Law Judge

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

STATE OF INDIANA
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Administrative Law Judge Reuben B. Hill ("ALJ"), having heard, reviewed and considered all of the evidence, will now render a decision concerning the matter of Jacqueline M. Tegeler ("Applicant"). This matter came on to be heard by the ALJ on January 10, 2017 at 10:00 a.m. at the Indiana Department of Insurance at 311 West Washington Street, Indianapolis, Indiana.

The Enforcement Division of the Indiana Department of Insurance ("Department") was represented by counsel, Claire Szpara. Applicant appeared by telephone and without counsel. Evidence was heard and exhibits were received into evidence.

Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues the Recommended Order.

FINDINGS OF FACT

1. Applicant applied for a Resident Producer License on October 5, 2017. Applicant's company, Crosspoint Insurance, filled out the application on behalf of Applicant.
2. Applicant disclosed an Illinois conviction for Bringing Contraband into a Penal Institution, a Class 1 Felony, on September 4, 2008. Applicant was ordered to four (4) years in prison and two (2) years of supervised release. Applicant testified that she only served thirteen (13) months in prison due to good tie and was released on parole in July 2009.
3. Applicant stated during the hearing that she developed a drug addiction as a form of self-medication from what was going on in her life. Applicant stated she has been sober since June 2008.
4. Applicant testified during the hearing that she is working to have her record sealed in the state of Illinois. Her hearing before the Illinois Parole Board was held in October 2017 and the final ruling is still pending.
5. Applicant admitted twenty (20) exhibits at the hearing. Exhibit H is a character letter from Kelly Hennig, a licensed cosmetologist at Mentions Studio. Exhibit I is a character letter from Bethny Logan, 911 Dispatcher for Webster County, Kentucky. Exhibit J is a certificate of achievement showing Applicant completed her G.E.D. courses. Exhibits M through P are certificates of achievement she received following her felony conviction.

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Indiana Code 27-1-15.6-12(b) states that the Commissioner may refuse to issue an Insurance Producer License, due to a number of factors.
4. Specifically, Indiana Code 27-1-15.6-12(b)(6) allows the Commissioner to deny an Insurance Producer License for having been convicted of a felony.
5. Applicant's 2008 Bringing Contraband into a Penal Institution, a Level 1 Felony conviction, is evidence of violating Indiana Code 27-1-15.6-12(b)(6). Facts in mitigation include the length of time since the conviction and Applicant's lack of subsequent criminal history.
6. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue her Resident Producer License and, therefore, bears the burden.
7. Pursuant to Indiana Code 27-1-15.6-12(d), the hearing was held to determine the reasonableness of the Commissioner's decision, due to mitigating factors, Applicant should be granted a two (2) year probationary license.
8. Findings of Fact that can be adopted as a Conclusion of Law are hereby incorporated herein as such.

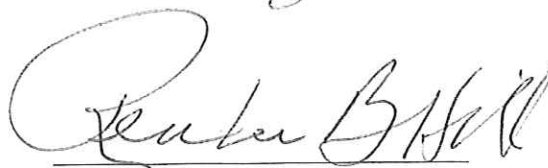
RECOMMENDED ORDER

IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. That Applicant be granted her Insurance Producer License on a two (2) year probationary status.

ALL OF WHICH IS ADOPTED by the Administrative Law Judge and recommended to the Commissioner of Insurance this 8th day of February, 2018.



Reuben B. Hill, Esq.
Administrative Law Judge

Distribution:

Jacqueline M. Tegeler
2005 East Franklin Street
Evansville, Indiana 47711

Claire Szpara, Attorney
Indiana Department of Insurance
311 W. Washington Street, Suite 103
Indianapolis, Indiana 46204

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OCT 27 2017

STATE OF INDIANA
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PRELIMINARY ADMINISTRATIVE ORDER
AND NOTICE OF LICENSE DENIAL

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Jacqueline M. Tegeler ("Applicant") of the following Administrative Order:

1. Applicant filed an application for resident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on October 05, 2017.
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)(6) provides that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
4. Following a review of materials submitted by Applicant in support of their 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(b)(6) due her September 04, 2008 Illinois conviction of Bringing Contraband Into a Penal Institution, a Class 1 Felony.

5. Indiana Code § 27-1-15.6-12(d) provides that the applicant may, not more than sixty-three (63) days after notice of denial of the application 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 Applicant's request for licensure is hereby DENIED pursuant to Indiana Code § 27-1-15.6-12(b)(6) for having been convicted of a felony.

October 27, 2017
Date Signed


Stephen W. Robertson, Commissioner
Indiana Department of Insurance

Distribution to:

Jacqueline M. Tegeler
2005 E Franklin St
Evansville, IN 47711

Calla Dain, Insurance Investigator
Indiana Department of Insurance
311 W. Washington St., Suite 103
Indianapolis, IN 46204
317 234-8687, fax 317 234-2103