

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 20792-AG21-0728-150

IN THE MATTER OF:)

Douglas M. Henselmeier)
PO Box 1433)
Martinsville, IN 46151)

Respondent.)

Type of Agency Action: Enforcement)

License Number: 2668280)

FILED

NOV 30 2021

STATE OF INDIANA
DEPT. OF INSURANCE

ADMINISTRATIVE ORDER AND
NOTICE OF NONRENEWAL OF LICENSE

The Indiana Department of Insurance ("Department"), pursuant to 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 Douglas M. Henselmeier, ("Respondent") of the following Administrative Order:

1. Respondent is a licensed resident insurance producer holding license number 2668280 since February 10, 2003 ("Respondent's license").
2. Respondent's license expired on July 31, 2021.
3. On or about July 13, 2021, Respondent submitted an application to renew his producer license.
4. On that 2021 application Respondent disclosed the following June 19, 2020, criminal charges, in the Morgan County Superior Court in Indiana, which were not reported to the Department in a timely manner:

- a. Operating a Vehicle While Intoxicated: Endangering a Person, a Class A Misdemeanor;
 - b. Operating a Vehicle While Intoxicated, a Class C Misdemeanor;
 - c. Operating a Vehicle While Intoxicated: Endangering a Person – Prior Within 7 years, a Level 6 Felony; and
 - d. Operating a Vehicle While Intoxicated – Prior Within 7 years, a Level 6 Felony.
5. Respondent's initial pretrial hearing date in the above criminal matter was held on July 6, 2020.
6. On or about July 29, 2019, Respondent submitted an application to renew his producer license.
7. An investigation discovered that Respondent was charged with the following criminal charges on June 17, 2019, in the Morgan County Superior Court in Indiana, which Respondent failed to disclose on his July 29, 2019 application, and were not reported to the Department in a timely manner:
 - a. Operating a Vehicle While Intoxicated: Endangering a Person, a Class A Misdemeanor;
 - b. Operating a Vehicle While Intoxicated, a Class C Misdemeanor;
 - c. Operating a Vehicle While Intoxicated: Endangering a Person, a Level 6 Felony; and
 - d. Operating a Vehicle While Intoxicated – Prior Conviction, a Level 6 Felony.
8. Respondent's initial pretrial hearing date in the above criminal matter was held on July 12, 2019.

9. An investigation discovered that on February 23, 2014, in the Morgan County Superior Court, Respondent was charged with operating a Vehicle While Intoxicated, a Class A Misdemeanor, which was not reported to the Department in a timely manner.

10. Respondent's initial pretrial hearing date in the above criminal matter was held on March 21, 2014.

11. On July 21, 2014, Respondent was subsequently convicted of Operating a Vehicle While Intoxicated, a Class A Misdemeanor.

12. Indiana Code § 27-1-15.6-12(b)(2)(A) provides, in part, that the Commissioner may refuse to renew an insurance producer's license for violating an insurance law.

13. Indiana Code § 27-1-15.6-17(b), is an insurance law, which states not more than thirty (30) days after an initial pretrial hearing date, a producer shall report to the Commissioner any criminal prosecution of the producer initiated in any jurisdiction.

14. Indiana Code § 27-1-15.6-12(b)(1), provides, in part, that the Commissioner to refuse to renew a producer's license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.

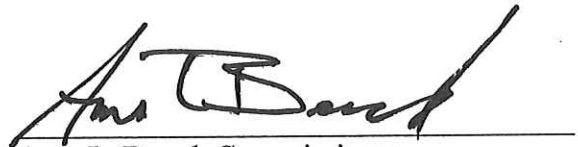
15. Indiana Code § 27-1-15.6-12(d) requires the Commissioner to notify a licensee of the reason for the nonrenewal of his license. This Order serves as that notice.

16. The Commissioner further notifies Respondent that, pursuant to Indiana Code § 27-1-15.6-12(d), Respondent may, within sixty-three (63) days of the mailing of this Order, make a written demand upon the Commissioner for a hearing to determine the reasonableness of this action. Such a hearing shall be held within thirty (30) days from the date of receipt of Respondent's written demand.

17. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

WHEREFORE, based on the foregoing, the Commissioner of Insurance hereby notifies Respondent that **his license shall not be renewed** due to his failure to timely report his criminal proceedings the Department, and his failure to disclose pending felony charges on an application.

1130/21
Date Signed


Amy L. Beard, Commissioner
Indiana Department of Insurance

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