

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 21847-AG22-1003-173

IN THE MATTER OF:

Philip Mercado  
7911 Fondren Rd  
Houston, TX 77074

Applicant.

Type of Agency Action: Enforcement

License Application #: 989317

**FILED**

DEC 29 2022

STATE OF INDIANA  
DEPT. OF INSURANCE

**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 Philip Mercado (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on August 4, 2022.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(6) provides, in part, that the Commissioner may refuse to issue an insurance producer’s license for having been convicted of a felony.
4. Indiana Code § 27-1-15.6-12(b)(9) authorizes the Commissioner to refuse to issue an insurance producer license for having an insurance producer license, or its equivalent, denied, suspended, or revoked in any other state, province, district, or territory.

5. Following a review of public records and a review of materials submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(6), due to Applicant's May 9, 2005, conviction for Sell/Possess Unlabeling/Rcrrd, a Felony, and Applicant's conviction on May 16, 2012, for Possession of a Controlled Substance, a 2<sup>nd</sup> Degree Felony, in the State of Texas
6. Following a review of public records and a review of materials submitted by Applicant in support of his application, the Commissioner, being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(9), due to Applicant's following administrative actions:
  - A. October 11, 2016, probationary license issued by the Texas Department of Insurance due to applicant's criminal record.
  - B. February 20, 2017, license denial issued by the Wisconsin Insurance Commissioner for failure to make required disclosure on application.
  - C. March 2, 2018, license denial issued by the Missouri Department of Insurance due to Applicant's criminal record.
  - D. April 6, 2018, license denial issued by the Indiana Department of Insurance due to Applicant's criminal record.
  - E. April 8, 2018, probationary license issued by the Georgia Office of Insurance and Safety Fire Commissioner due to Applicant's criminal record and other states actions.
  - F. August 9, 2018, a monetary penalty issued by the Louisiana Department of Insurance for failure to make required disclosure on application.

- G. August 21, 2018, license denial issued by the Virginia State Corporation Commission due to Applicant's criminal record and other states actions.
  - H. August 23, 2018, license denial issued by the South Dakota Division of Insurance due to applicant's criminal record and other states actions.
  - I. November 6, 2018, conditional license issued by the North Dakota Insurance Department due to applicant's criminal record and other states actions.
7. 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.
8. This is considered an administrative action by the Indiana Department of Insurance. If you choose to appeal this administrative action, please follow the aforementioned instructions. Subsequently, after the Department has received your written request for a hearing, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and you will receive more information from OALP to begin the administrative process.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Codes §§ 27-1-15.6-12(b)(6) and § 27-1-15.6-12(b)(9) due to Applicant's felony conviction, and administrative actions, including five (5) license denials. Applicant may reapply for licensure not less than one (1) year from the date of this order.

12/29/2022  
Date Signed

Amy L. Beard  
Amy L. Beard, Commissioner  
Indiana Department of Insurance

Distribution to:

Philip Mercado  
7911 Fondren Rd  
Houston, TX 77074

Samantha Aldridge, Attorney  
ATTN: Sara Tolliver, Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-8687, fax 317 234-2103