

STATE OF NORTH DAKOTA
BEFORE THE INSURANCE COMMISSIONER

In the Matter of)	
)	CONSENT ORDER
Amy Marie Johnson,)	
NPN 8507271,)	CASE NO. AG-15-548
)	
Respondent.)	

TO: Amy Marie Johnson, 400 Meadow Lane North, Golden Valley, MN 55422

Insurance Commissioner Adam Hamm ("Commissioner") has determined as follows:

1. As a result of information obtained by the North Dakota Insurance Department ("Department") regarding the conduct of Amy Marie Johnson, NPN 8507271 ("Respondent"), the Commissioner has considered scheduling a formal hearing to determine whether Respondent's conduct as alleged constitutes a basis for imposition of a civil penalty or any other action the Commissioner deems necessary. As more fully described below, Respondent's conduct is alleged to be in violation of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1.

2. N.D.C.C. § 26.1-26-15 requires that an applicant for any license must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation.

3. N.D.C.C. § 26.1-26-42 states, in part:

The commissioner may suspend, revoke, place on probation, or refuse to continue or refuse to issue any

license issued under this chapter if, after notice to the licensee and hearing, the commissioner finds as to the licensee any of the following conditions:

1. A materially untrue statement in the license application.
4. N.D.C.C. § 26.1-26-45.1 states:

26.1-26-45.1. Reporting of actions.

1. An insurance producer shall report to the commissioner any administrative action taken against the insurance producer's license in another jurisdiction or by another governmental agency in this state within thirty days of the final disposition of the matter. This report must include a copy of the order, consent to order, or other relevant legal documents.
2. Within thirty days after a criminal conviction, an insurance producer shall report to the commissioner any criminal conviction of the insurance producer taken in any jurisdiction. The report must include a copy of the initial complaint, the order issued by the court, and any other relevant legal documents.
5. Respondent has been licensed as a nonresident insurance producer in North Dakota since December 7, 2010.
6. According to information received by the Department, on or about June 24, 2015, Respondent submitted documentation to the National Insurance Producer Registry Attachments Warehouse regarding a conviction of Disorderly Conduct on December 29, 2014. The conviction should have been reported to the Department by January 29, 2015, and it was not. Respondent's failure to report a criminal conviction within 30 days is a violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-45.1(2).
7. On or about April 15, 2015, Respondent applied to renew a North Dakota nonresident producer license and failed to disclose the December 29, 2014, Disorderly

Conduct conviction on the application. Respondent's failure to disclose a criminal conviction on an application is in violation of N.D.C.C. §§ 26.1-26-15 and 26.1-26-42(1).

8. Respondent's actions constitute violations of N.D.C.C. §§ 26.1-26-15, 26.1-26-42(1), and 26.1-26-45.1(2).

9. Respondent acknowledges that at the time of signing the Consent to Entry of Order, she was aware of or had been advised of the right to a hearing in this matter, to consult an attorney, to present argument to the Commissioner, to appeal from any adverse determination after a hearing, and Respondent expressly waives those rights.

10. Respondent has agreed to informal disposition of this matter, without a hearing, as provided under N.D.C.C. § 28-32-22.

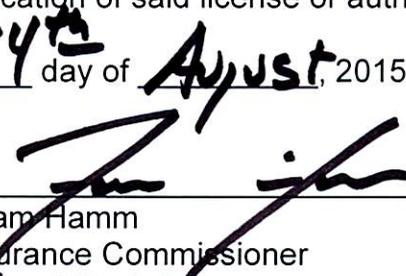
11. For purposes of resolving this matter without further administrative proceedings, Respondent has agreed to enter into the following order.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. Respondent agrees to pay a fine in the amount of \$300 payable by money order, cashier's check, or credit card to the North Dakota Insurance Department within 20 days of the effective date of this Order.

2. The use of this Consent Order for competitive purposes by an insurance producer or agency holding a license in the State of North Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority.

DATED at Bismarck, North Dakota, this 24th day of August, 2015.



Adam Hamm
Insurance Commissioner
State of North Dakota

CONSENT TO ENTRY OF ORDER

The undersigned, **Amy Marie Johnson**, states that she has read the foregoing Consent Order, that she knows and fully understands its contents and effect; that she has been advised of the right to a hearing in this matter, the right to be represented by legal counsel, the right to present evidence and arguments to the Commissioner, and the right to appeal from an adverse determination after hearing; and that by the signing of this Consent to Entry of Order he waives those rights in their entirety, and consents to entry of this Order by the Commissioner. It is further expressly understood that this Order constitutes the entire settlement agreement between the parties, there being no other promises or agreements, either expressed or implied.

DATED this 18th day of August, 2015.

Amy Marie Johnson
Amy Marie Johnson

County of Hennepin
State of Minnesota

Subscribed and sworn to before me this 18th day of August, 2015.

Kimberly Jo Kunkel
Notary Public

My commission expires:

