

**STATE OF OREGON
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
INSURANCE DIVISION**

In the Matter of **Jessica M. Feurer**) **FINAL ORDER**
) Case No. INS 08-11-006

History of the Proceeding

The Director of the Oregon Department of Consumer and Business Services (director) commenced this administrative proceeding, pursuant to Oregon Revised Statutes (ORS) 731.256, to take enforcement action against Jessica M. Feurer (Feurer).

On 11/13/08, the director issued a notice of proposed action notifying the party that the director proposed to take enforcement action against the party and the party was entitled to a hearing pursuant to ORS 183.415. The notice of proposed action included a statement that if a hearing was not conducted then the designated portion of the Insurance Division's file in this case would automatically become part of the contested case record for the purpose of proving a *prima facie* case.

The director did not receive from the party a request for a hearing and did not conduct a hearing.

The director finds that the record of this proceeding to date, including information in the designated portion of the Insurance Division's file and all materials submitted by the party if any, proves a *prima facie* case.

The director now makes the following final decision in this proceeding.

Findings of Fact and Conclusions of Law

Licensing Information

Feurer was licensed in Oregon as a nonresident insurance adjuster from 8/13/04 to 11/30/08. On 11/30/08, Feurer's license expired. Feurer's last recorded business address was located in Windsor Connecticut.

Convicted of Felony Involving Dishonesty or Breach of Trust

Feurer is subject to enforcement action pursuant to ORS 731.428(4) because of the following circumstances. ORS 731.428(4) requires the director to revoke,

suspend, or refuse to renew, the Oregon insurance adjuster license issued to a person who was convicted of among other things of a felony involving dishonesty or a breach of trust. OAR 836-071-0321(1) defines a felony involving dishonesty as “including but not limited to any offense constituting or involving theft, burglary, perjury, bribery, forgery, counterfeiting, a false or misleading oral or written statement, deception, fraud, a scheme or artifice to deceive or defraud, a material misrepresentation or the failure to disclose material facts.” On or about 10/23/06, in the Superior Court of the State of Connecticut, in the criminal case *State of Connecticut v. Jessica M. Feurer*, case number CR05 0137155 S, Feurer was convicted of committing the crime of larceny in the first degree, a felony, pursuant to Connecticut General Statutes (GGS) section 53a-122. Feurer committed the crime by, from January 2002 to 7/20/05, while employed as a claims processor by ESIS, Inc (ESIS), issuing 91 checks to a Chase Bank credit card account, number 4226910024723884, in the name of Feurer’s husband, David Feurer. Feurer was not authorized to issue the checks.

Enforcement Action by Other State Insurance Regulator

Feurer is subject to enforcement action pursuant to ORS 744.013(2)(L) because of the following circumstances. ORS 744.013(2)(L) permits the director to take any authorized enforcement action against a person who has applied for a license or is licensed in Oregon as an insurance adjuster if another state insurance regulator canceled, revoked, suspended, or refused to renew, the person’s license in that state as an insurance producer, adjuster or consultant. On 12/27/06, the insurance regulator for the State of Connecticut issued an order, number MC 06-121, revoking Feurer’s Connecticut resident insurance adjuster license effective 12/27/06. The insurance regulator took the action because on or about 10/23/06, in the Superior Court of the State of Connecticut, in the criminal case *State of Connecticut v. Jessica M. Feurer*, case number CR05 0137155 S, Feurer was convicted of committing the crime described above.

Order

Pursuant to ORS 744.013(1) and ORS 744.011, Feurer's expired Oregon nonresident insurance adjuster license is revoked on the date of this order.

Notice of Right to Judicial Review

A party has the right to judicial review of this order pursuant to ORS 183.480 and ORS 183.482. A party may request judicial review by sending a petition for judicial review to the Oregon Court of Appeals. The court must receive the petition within 60 days from the date this order was served on the party. If the order was personally delivered to a party, then the date of service is the date the party received the order. If the order was mailed to a party, then the date of service is the date the order was mailed to the party, not the date the party received the order. If a party files a petition, the party is requested to also send a copy of the petition to the Insurance Division.

Dated December 10, 2008

/s/ Teresa D. Miller
Teresa D. Miller
Acting Administrator
Insurance Division
Department of Consumer and Business Services

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