

BEFORE THE IOWA INSURANCE COMMISSIONER

IN THE MATTER OF)	ORDER AND CONSENT TO ORDER
)	
CORY JOHN ERNST)	
Application for Insurance Producer License)	DIVISION FILE NO.: 82230

Now comes the Iowa Insurance Division ("Division"), pursuant to the provisions of the Iowa Licensing of Insurance Producers Act – chapter 522B. The Commissioner hereby proposes to find facts and issue an order to grant Cory John Ernst ("Ernst") an Iowa resident insurance producer's license on a probationary basis by way of Order and Consent to Order (the "Order"). Ernst consents to the entry of this Order. Ernst admits that the Iowa Insurance Division has personal jurisdiction over him and has subject matter jurisdiction over this matter.

FINDINGS OF FACT

1. Ernst had been working as a pharmacist in Iowa from 2005 until an unknown date in April 2012.
2. On April 23, 2012, Ernst was charged with drug-related offenses relating to certain prescription drugs found in his car during a traffic stop by the police.
3. On August 29, 2012, the Iowa Board of Pharmacy approved a stipulation and consent order that indefinitely suspended Ernst's license.
4. On October 29, 2012, Ernst pled guilty to unlawful possession of a prescription drug, a serious misdemeanor, and received a deferred judgment with probation.
5. On June 24, 2013, Ernst was discharged from his criminal probation and his record of the deferred judgment was expunged.
6. On October 9, 2013, Ernst's application for reinstatement of pharmacy license was granted. Ernst's license was placed on probation for a term of five years and he was subject to terms and conditions during his probation.

7. On December 30, 2013, Ernst filed an application with the Division for a resident insurance producer license. The application states that Ernst was unemployed from May 2012 through December 2013.

8. In order to resolve this matter without hearing, Ernst agrees to accept conditions upon his Iowa producer license for a period of two calendar years from the date the license is issued.

CONCLUSIONS OF LAW

9. The Commissioner finds that there are grounds to deny Ernst's application for a license pursuant to Iowa Code § 522B.5(1)(e) because Ernst's suspension and subsequent probation with the Iowa Board of Pharmacy.

10. The Commissioner finds that the circumstances of the offense and subsequent criminal and administrative probation do not suggest that Ernst poses a safety risk to the insurance buying public.

ORDER

WHEREFORE, IT IS ORDERED pursuant to the powers granted to the Commissioner of Insurance by Iowa Code Chapter 522B that the Division will issue Cory John Ernst a probationary license, effective on this date, on the following conditions:

1. Ernst shall strictly comply with Iowa insurance law and regulations and the terms of this Order;
2. Ernst shall report to the Commissioner within 10 business days of his first notice of criminal charges or of investigation or initiation of disciplinary action against any occupational or professional license; and
3. Ernst shall notify the Commissioner within 10 days of any change in employment, agency affiliation, or responsibilities related to the business of insurance.

4. During the probationary period, any credible company or consumer report of conduct that would be actionable pursuant to Iowa Code § 522B.11 may, at the discretion of the Division, result in immediate suspension of Ernst's license pending a prompt hearing on the merits of the report.

5. Ernst shall notify the Commissioner prior to accepting employment or having responsibilities involving work as a pharmacist or any function in a pharmacy.

6. At the end of two years from the date of issuance, the probationary conditions will terminate without formal action unless further order of the Commissioner alters, terminates, or extends the status.

Dated this 8 day of January, 2014.

NICK GERHART
Iowa Insurance Commissioner



TOM O'MEARA
Assistant Insurance Commissioner

Iowa Insurance Division

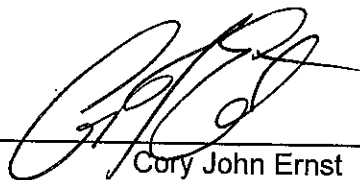
By: 

Robert Koppin
Enforcement Bureau Chief

CONSENT TO ORDER

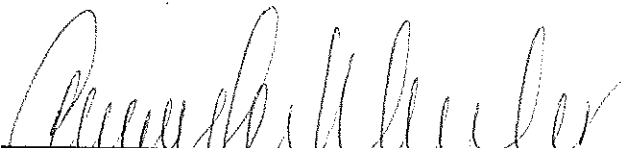
I, Cory John Ernst, have read, understood, and do knowingly consent to this Order in its entirety. By executing this consent, I understand that I am waiving my rights to a hearing, to confront and cross-examine witnesses, to produce evidence, and to judicial review. I also understand that this Order is considered final administrative action that shall be reported by the Division to the Central Registration Depository, if I am securities licensed, and, if I am insurance licensed, to the National Association of Insurance Commissioners and to all insurance companies with which I am actively appointed. I also understand that this Order is a public record under Iowa Code chapter 22 (2013), that will be disclosed to other state regulatory authorities, upon request, pursuant to Iowa Code section 505.8(6)(c) (2013). I also understand that the information contained in the Order will be posted to the Division's web site and a notation will be made to my publicly available web site record that administrative action has been taken against me.

Dated this 8th day of January, 2014.



Cory John Ernst

Subscribed and sworn before me by Cory John Ernst on this 8 day of January, 2014.



Notary Public for the state of Iowa

