

No. **4433**

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: MAY 04 2016

Subject Considered:

AMBER CATRICE EDMONSON
1115 Cora Street, Apt. A
La Marque, Texas 77568

DEFAULT ORDER
SOAH DOCKET NO. 454-16-3328.C
TDI ENFORCEMENT FILE NO. 9910

General remarks and official action taken:

The commissioner of insurance considers the navigator individual registration application for Amber Catrice Edmonson.

Findings of Fact

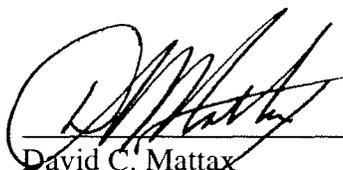
1. Amber Catrice Edmonson submitted an application for a navigator individual registration to allow her to assist consumers in completing the uniform application for health coverage affordability programs available through a health benefit exchange. Edmonson's application was submitted to the department on June 23, 2105.
2. The department proposed to deny Edmonson's application on July 13, 2015, based on her criminal history. She appealed that decision and made a written request for a hearing.
3. On March 24, 2016, the department sent a notice of hearing to Edmonson's last known address, 1115 Cora Street, Apt. A, La Marque, Texas 77568, and one additional address, 22 Robertson Street, Texas City, Texas 77591.
4. Edmonson failed to file a written response to the notice of hearing within 20 days of the date the notice of hearing was mailed.
5. On July 23, 2009, the 10th District Court of Galveston County, Texas sentenced Edmonson to eight years imprisonment and ordered her to pay court costs for the offense of Aggravated Robbery, a 1st Degree Felony. She was on parole from December 27, 2012, until October 3, 2016.

Conclusions of Law

1. The commissioner of insurance has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 4001.002, 4005.101, 4005.102 and 4154.051; and TEX. GOV'T CODE §§ 2001.051- 2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to dispose of this case informally.
3. Based on 28 TEX. ADMIN. CODE § 19.906, Edmonson's last known address is presumed to be 1115 Cora Street, Apt. A, La Marque, Texas 77568.
4. TDI mailed a notice of hearing to Edmonson's last known address, as required by 28 TEX. ADMIN. CODE §§ 1.28(c) and 1.88(c), 1 TEX. ADMIN. CODE § 155.401, and TEX. GOV'T CODE Ch. 2001.
5. The allegation in the notice of hearing, set out as finding of fact no. 5, is deemed admitted as true pursuant to 28 TEX. ADMIN. CODE § 1.89.
6. Edmonson has been convicted of a felony, as contemplated by TEX. INS. CODE § 4154.051(c)(3).
7. Based on Edmonson's prior criminal history, she has committed acts for which a license may be denied under TEX. INS. CODE, Chapter 4005, Subchapter C, because:
 - a. She has engaged in fraudulent or dishonest acts or practices, as contemplated by TEX. INS. CODE § 4005.101(b)(5).
8. Edmonson was convicted of an offense that the department considers to be of such serious nature that it is of prime importance in determining fitness for licensure or authorization, as contemplated by 28 TEX. ADMIN. CODE § 1.502(e).
9. Edmonson was convicted of an offense that directly relates to the duties and responsibilities of the licensed occupation, as contemplated by TEX. OCC. CODE § 53.021(a)(1) and 28 TEX. ADMIN. CODE § 1.502(d).
10. Department guidelines, 28 TEX. ADMIN. CODE § 1.502(c) – (e), emphasize that TDI:
 - a. Considers it very important that applicants be honest, trustworthy, and reliable;
 - b. May refuse to issue an original license if the department determines that the applicant has committed an offense that directly relates to the duties and responsibilities of the licensed occupation; and

- c. Considers the offense of Aggravated Robbery to be of such a serious nature that it is of prime importance when determining fitness for licensure because the offense is:
 - i. An offense for which fraud, dishonesty, or deceit is an essential element.
28 Tex. Admin. Code §1.502(e)(1).

The commissioner of insurance denies Amber Catrice Edmonson's application for a navigator individual registration.



David C. Mattax
Commissioner of Insurance

Affidavit

State of Texas §
County of Travis §

Before me, the undersigned authority, personally appeared the affiant, who, being by me duly sworn, deposed as follows:

“My name is Ginger Yocom and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI’s records concerning Amber Catrice Edmonson. I have confirmed that:

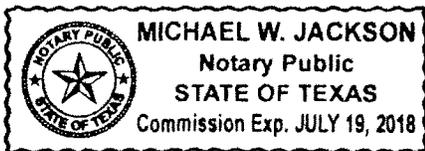
- a. The last mailing address provided to the department by Amber Catrice Edmonson in writing was 1115 Cora Street, Apt. A, La Marque, Texas 77568.
- b. The file maintained by the Enforcement Section of the Compliance Division contains a notice of hearing dated March 24, 2016, filed with the State Office of Administrative Hearings.
- c. Certified letters, return receipts requested, and first class mailings containing a notice of hearing were sent to Edmonson’s last known address and one additional address at 22 Robertson Street, Texas City, Texas 77591.

Copies of the first class and certified mail logs maintained by the Enforcement Section are attached as Exhibit A and Exhibit B.”

Ginger Yocom
Affiant

SWORN TO AND SUBSCRIBED before me on 27 April 2016.

(NOTARY STAMP)



Notary without Bond

12421235-1

M Jackson
Signature of Notary Public

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Name and Address of Sender
Texas Dept of Insurance
Mail Code 110-1A
333 Guadalupe St
Austin TX 78701
Ginger Yocom
March 24, 2016

110-1A

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted

Affix Stamp Here
(If issued as an international certificate of mailing or for additional copies of this receipt). Postmark with Date of Receipt

USPS Tracking/Article Number	Address (Name, Street, City, State, & Zip Code)	Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
Syreeta/NOH/#9910 7014 1820 0000 4515 6842	Amber Catrice Edmonson 1115 Cora Street, Apt. A La Marque, Texas 77568	4.85	3.45								2.80			
Syreeta/NOH/#9910 7014 1820 0000 4515 6835	Amber Catrice Edmonson 22 Robertson Street Texas City, Texas 77591	4.85	2.45								2.80			
				Handling Charge if Registered and over \$50,000 in value										
								Adult Signature Required						
								Adult Signature Restricted Delivery						
								Restricted Delivery						
								Return Receipt						
								Signature Confirmation						
								Signature Confirmation Restricted Delivery						
								Special Handling						

Total Number of Pieces Listed by Sender

Total Number of Pieces Received at Post Office

Postmaster: Per (Name of receiving employee)

