



**DEPARTMENT OF COMMERCE & INSURANCE**

P.O. Box 690, Jefferson City, Mo. 65102-0690

*In Re:*

**NATIONAL CROP INSURANCE  
SERVICES, INC.**

)  
)  
) **Market Conduct Investigation No. 397032**  
)

**ORDER OF THE DIRECTOR**

NOW, on this 14<sup>th</sup> day of February, 2023, Director, Chlora Lindley-Myers, after consideration and review of the Stipulation of Settlement (hereinafter “Stipulation”) entered into by the Division of Insurance Market Regulation (hereinafter “Division”), and National Crop Insurance Services, Inc. (hereinafter “NCIS”), relating to the market conduct investigation no. 397032, does hereby issue the following orders:

This order, issued pursuant to §374.046.15<sup>1</sup> is in the public interest.

**IT IS THEREFORE ORDERED** that NCIS and the Division having agreed to the Stipulation, the Director does hereby approve and agree to the Stipulation.

**IT IS FURTHER ORDERED** that NCIS shall not engage in any of the violations of statutes and regulations set forth in the Stipulation, shall implement procedures to place it in full compliance with the requirements in the Stipulation and the statutes and regulations of the State of Missouri, and to maintain those corrective actions at all times, and shall fully comply with all terms of the Stipulation.

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<sup>1</sup> All references, unless otherwise noted, are to Revised Statutes of Missouri 2016.

**IT IS SO ORDERED.**

**IN WITNESS WHEREOF**, I have hereunto set my hand and affixed the seal of my office in Jefferson City, Missouri, this 14<sup>th</sup> day of February, 2023.



*Chlora Lindley-Myers*

Chlora Lindley-Myers  
Director

**IN THE DEPARTMENT OF COMMERCE AND INSURANCE  
STATE OF MISSOURI**

*In Re:* )  
 )  
NATIONAL CROP INSURANCE ) **Market Conduct Investigation No. 397032**  
SERVICES, INC. )

**STIPULATION OF SETTLEMENT**

It is hereby stipulated and agreed by the Division of Insurance Market Regulation (hereinafter the “Division”), and National Crop Insurance Services, Inc. (hereinafter “NCIS”), as follows:

**WHEREAS**, the Division is a unit of the Missouri Department of Commerce and Insurance (hereinafter the “Department”), an agency of the State of Missouri, created and established for administering and enforcing all laws in relation to insurance companies doing business in the State of Missouri;

**WHEREAS**, NCIS has been granted a license to transact business in the State of Missouri as a Rating Organization;

**WHEREAS**, the Division conducted a market conduct investigation of NCIS, investigation no. 397032; and

**WHEREAS**, based on the market conduct investigation of NCIS the Division alleges that:

1. NCIS did not file the 2020 corrected Final Average Loss Costs for the crop insurance program in violation of § 379.321.1<sup>1</sup>

**WHEREAS**, the Division and NCIS have agreed to resolve the issues raised in the market conduct investigation as follows:

A. **Scope of Agreement.** This Stipulation of Settlement (hereinafter “Stipulation”)

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<sup>1</sup> All statutory references, unless otherwise noted, are to the 2016 Revised Statutes of Missouri.

embodies the entire agreement and understanding of the signatories with respect to the subject matter contained herein. The signatories hereby declare and represent that no promise, inducement or agreement not herein expressed has been made, and acknowledge that the terms and conditions of this agreement are contractual and not a mere recital.

B. **Remedial Action.** NCIS agrees to take remedial action bringing it into compliance with the statutes and regulations of Missouri and agrees to maintain those remedial actions at all times. Such remedial actions shall include the following:

1. NCIS agrees to file the 2020 corrected FALC's with the Department within 10 days of the date of the Order approving this Stipulation.

2. NCIS agrees to timely file with the Department all future FALC's as required by §379.321.1, and to adopt and implement policies and procedures to ensure that such filings are timely made.

C. **Compliance.** NCIS agrees to file documentation pursuant to section 374.190 with the Division, in a format acceptable to the Division, within 30 days of the entry of an Order approving this Stipulation, of any remedial action taken to implement compliance with the terms of this Stipulation.

D. **Non-Admission.** Nothing in this Stipulation shall be construed as an admission by NCIS, this Stipulation being part of a compromise settlement to resolve disputed factual and legal allegations arising out of the above referenced market conduct investigation.

E. **Waivers.** NCIS, after being advised by legal counsel, does hereby voluntarily and knowingly waive any and all rights to procedural requirements, including notice and an opportunity for a hearing, and review or appeal by any trial or appellate court, which may have otherwise applied to the market conduct investigation no. 397032.

F. **Amendments.** No amendments to this Stipulation shall be effective unless made in writing and agreed to by authorized representatives of the Division and NCIS.

G. **Governing Law.** This Stipulation shall be governed and construed in accordance with the laws of the State of Missouri.

H. **Authority.** The signatories below represent, acknowledge and warrant that they are authorized to sign this Stipulation, on behalf of the Division and NCIS, respectively.

I. **Counterparts.** This Stipulation may be executed in multiple counterparts, each of which shall be deemed an original and all of which taken together shall constitute a single document. Execution by facsimile or by electronically transmitted signature shall be fully and legally effective and binding.

J. **Effect of Stipulation.** This Stipulation shall not become effective until entry of an Order by the Director of the Department (hereinafter "Director") approving this Stipulation.

K. **Request for an Order.** The signatories below request that the Director issue an Order approving this Stipulation and ordering the relief agreed to in the Stipulation, and consent to the issuance of such Order.

DATED: February 7, 2023



Teresa Kroll  
Chief Market Conduct Examiner  
Division of Insurance Market Regulation

DATED: February 7, 2023



Thomas P. Zacharias  
President  
National Crop Insurance Services, Inc.