

**BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS INSURANCE DEPARTMENT**

ARKANSAS INSURANCE DEPARTMENT)
)
vs.)
)
PEO OF NEXTAFF, LLC)
)

A.I.D. NO. 2013- 073

CEASE AND DESIST ORDER

Now on this day the matter of PEO of Nextaff, LLC (“Respondent”), came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Amanda J. Andrews, Associate Counsel, in this matter. From the facts and law before the Commissioner, he finds as follows:

FINDINGS OF FACT

1. Respondent is a Professional Employer Organization (“PEO”) with a principal place of business in Kansas, and it currently does business in Kansas, Texas and North Carolina.
2. On or about July 18, 2013, the Department received notice that Respondent has been operating as a PEO in Arkansas since 2010, and it currently has one (1) client in Arkansas.
3. On July 26, 2013, Respondent submitted an application, pursuant to Arkansas Code Annotated § 23-92-404(f), to be exempt from licensure. Respondent had not previously submitted an application for PEO licensure or exemption from licensure in this State.

CONCLUSIONS OF LAW

From the Findings of Fact contained herein, the Commissioner concludes as follows:

4. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Arkansas Code Annotated §§ 23-61-103, 23-65-101(b) and 23-92-401, *et. seq.*

5. It is unlawful for a person or entity to provide, advertise, or otherwise hold itself out as providing professional employer services in Arkansas unless the person is licensed as a professional service organization under this subchapter. Ark. Code Ann. § 23-92-404(a).

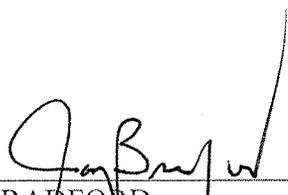
6. No professional employer organization shall conduct business without an active license, or violate or fail to conform to any provision of Arkansas Code Annotated § 23-92-401, *et. seq.* or any lawful order or rule issued under Arkansas Code Annotated § 23-92-401, *et. seq.* Ark. Code Ann. § 23-92-411(a)(8), (10).

7. Respondent is in violation of Arkansas laws by conducting business in this State as a Professional Employer Organization with out obtaining the proper license or exemption from licensure, pursuant to Arkansas Code Annotated § 23-92-404.

IT IS THEREFORE ORDER AS FOLLOWS:

Pursuant to Arkansas Code Annotated § 23-65-101(b), Respondent is ordered to cease and desist all activities and business as a Professional Employer Organization in Arkansas. Respondent has the right pursuant to request a hearing within thirty (30) days of entry of this Order.

IT IS SO ORDERED THIS 31st day of July, 2013.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS