

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:
CRYSTAL DANIELS

PETITIONER

A.I.D. NO. 2022- 8

ORDER

On this day, the matter of the resident insurance producer license application of Mrs. Crystal Daniels (“Petitioner”) came before Alan McClain, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on November 2, 2021, in the Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated October 13, 2021. The hearing was held before Hearing Officer Dan Honey (“Hearing Officer”) pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). Petitioner, Crystal Daniels, was present. The Department was represented by Gray Allen Turner, Associate Counsel.

FINDINGS OF FACT

1. Petitioner, a resident of Faulkner County, Arkansas, applied for an insurance producer license with a final expense line of authority on June 20, 2021.
2. Petitioner, in her insurance producer license application did not disclose she had a felony conviction for leaving the scene of an accident. Petitioner testified she did not disclose the conviction because she considered it a traffic offense.
3. Petitioner was involved in an accident in 2014 in which a pedestrian was injured. Petitioner testified she did not know she hit a person until law enforcement interviewed her. She pled guilty to leaving the scene of an accident with injury, a felony. She was placed on probation and successfully completed all court-ordered requirements. She has not had any criminal convictions since that time.
4. Petitioner expects to use her license in conjunction with her work at a funeral home. She has a funeral home apprentice license from the Arkansas State Board of Embalmers and Funeral Directors she received after being granted a waiver due to her felony.

CONCLUSIONS OF LAW

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*

2. Submission of an incomplete or incorrect license application is a violation of § 23-64-512(a)(1) and grounds to deny a license application.

3. The evidence and testimony are sufficient to find Petitioner meets the requirements of § 23-64-506(a)(2) to be a licensed insurance producer.

4. Petitioner was convicted of a felony for leaving the scene of an accident. Considering the length of time since the conviction, her lack of further criminal conduct, and the fact that her conviction did not involve theft or fraud, she may be granted an insurance producer license despite her felony record.

RECOMMENDATION OF THE HEARING OFFICER

WHEREFORE, upon consideration of the evidence of record and the foregoing Findings of Fact and Conclusions of Law, the Hearing officer recommends the following:

1. That the Arkansas resident insurance producer license application of the Petitioner be granted.

A handwritten signature in cursive script, appearing to read "Dan Honey", is written over a horizontal line.

Dan Honey
Hearing Officer

CERTIFICATION

I, Alan McClain, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendation of the Hearing Officer were made by and under my authority and supervision by Dan Honey, the Hearing Officer in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law and Recommendation in full, as set forth herein.

THEREFORE, it is hereby ORDERED that:

1. The Arkansas resident insurance producer license application of Petitioner, Crystal Daniel, is granted.

IT IS SO ORDERED THIS 7th DAY OF January, 2022.



ALAN MCCLAIN
INSURANCE COMMISSIONER
STATE OF ARKANSAS