

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF:

AID ORDER NO. 2018-002

ANGELA STOCKBURGER
RESPONDENT
NPN 77685

REVOCATION ORDER

On this day, the matter of the producer's license of Angela Stockburger ("Respondent") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on November 1, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated September 27, 2017. The hearing was held before Chief Deputy Commissioner Russ Galbraith ("Hearing Officer") pursuant to his appointment by the Commissioner in accordance with Ark. Code Ann. § 23-61-103(e)(1). The Department was represented by Gray Allen Turner, Associate Counsel. The Respondent appeared with her attorney Ruth Ann Murphy.

FINDINGS OF FACT

1. The Commissioner of Insurance has jurisdiction pursuant to the Arkansas Insurance Code, specifically Ark. Code Ann. §§ 23-60-101, *et seq.*
2. Respondent resides in Sebastian County, Arkansas.
3. Respondent holds an Arkansas resident producer license.

4. Respondent was sent notice of hearing by regular and certified mail.
5. Respondent was a licensed Oklahoma resident insurance producer in 1986 and held an Arkansas non-resident license.
6. Respondent changed addresses in 1986 without informing the Oklahoma or Arkansas insurance commissioners.
7. In 1986, the Oklahoma insurance commissioner sent Respondent a notification of a license revocation hearing to the last address she had provided to the Oklahoma insurance commissioner
8. Respondent did not participate in her 1986 Oklahoma license revocation hearing. Her Oklahoma license was revoked in 1986. At that time her name was Angelia Marks.
9. In 1986 the Arkansas Insurance Department held a revocation hearing as to Respondent's Arkansas non-resident insurance producer license.
10. Respondent did not participate in the Arkansas revocation hearing.
11. Respondent's Arkansas non-resident insurance license was revoked in 1986.
12. Respondent plead guilty to a felony hot check charge in 1992 in Sebastian County Circuit Court. There is no documentation in evidence to show that this felony has ever been dismissed or expunged.
13. Respondent was convicted of several misdemeanor hot check crimes in Arkansas.
14. Respondent applied for and was granted a resident South Dakota

insurance producer license in 2015.

15. Respondent failed to disclose that she had any misdemeanor or felony convictions on her resident South Dakota license application.

16. Respondent contacted the Arkansas Insurance Department in 2015 to inquire if there were any orders regarding the non-resident license she had previously held. AID informed Respondent by letter (Exhibit 6, Page 3) there were no orders under the name of "Angela Stockburger."

17. Respondent applied for a non-resident Arkansas producer license on June 5, 2017.

18. On her non-resident Arkansas license application, she only provided the names "Angelia Reece" and "Angela Stockburger." Respondent does not have an explanation why she did not include her previous name "Angelia Marks" on her application.

19. Respondent incorrectly stated she had not been convicted of a felony on her non-resident Arkansas license application. (Exhibit 6)

20. Respondent's testimony that she was not aware that she had a felony hot check conviction at the time she submitted her South Dakota resident license application and her Arkansas non-resident license application is not credible.

21. Respondent failed to attach copies of her misdemeanor hot check convictions to the Arkansas non-resident license application.

22. Respondent answered "yes" to question #2 as to whether she had ever had a professional license revoked on her Arkansas non-resident license application

Respondent failed to include an adequate explanation or documents in response to question #2 and her answer was incomplete.

23. Respondent submitted an Arkansas resident funeral expense insurance license application on August 29, 2017.

24. Respondent, on her August 2017 Arkansas resident funeral expense insurance license application, stated she had previously used the names "Angelia Marks" and "Angelia Reece."

25. Respondent, on her Arkansas resident funeral expense application answered "yes" to question #1 that asked if she had been convicted of a felony. Respondent provided a copy of the Sebastian County felony conviction and a written explanation. Respondent did not claim that the felony had been dismissed or expunged.

26. Respondent, on her Arkansas resident funeral expense license application, answered "yes" to question #1 that asked if she had been convicted of any misdemeanors. She did not include copies of any convictions or specific explanations of these convictions. Her license application was not complete.

27. Respondent, on her Arkansas resident funeral expense license application, answered "yes" to question #3 that asked if she had ever had any professional licenses revoked. As part of her explanation, Respondent emailed partial copies of letters from Oklahoma and Arkansas Insurance Departments stating that no records could be found.

28. At the conclusion of the hearing, the record was kept open to allow

both the Respondent and Department to submit additional evidence. The record shall be supplemented with the evidence submitted by the parties.

CONCLUSIONS OF LAW

1. Ark. Code Ann. § 23-64-512(a)(1) authorizes the Department to revoke an insurance producer's license for "[p]roviding incorrect, misleading, incomplete, or materially untrue information in the license application." Respondent, on her June 5, 2017, Arkansas non-resident insurance producer application, provided incomplete and materially untrue information in that she failed to disclose her prior felony conviction. Likewise, Respondent failed to provide copies of her convictions or explanations of her criminal charges with her Arkansas non-resident insurance producer application as to her felony and numerous misdemeanor convictions. Respondent's actions were a violation of Ark. Code Ann. § 23-64-512(a)(1).

2. Ark. Code Ann. § 23-64-512(a)(6) authorizes the Department to refuse to issue or renew, or revoke an insurance producer's license for having been convicted of a felony. Respondent was convicted of a felony in Sebastian County Circuit Court case CR-92-554 in 1992. Respondent's actions were a violation of Ark. Code Ann. § 23-64-512(a)(1).

RECOMMENDATION OF 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 non-resident insurance producer license of Respondent Angela Stockburger, NPN 77685, be revoked.



Russ Galbraith
Chief Deputy Commissioner

CERTIFICATION

I, Allen Kerr, 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 Russ Galbraith, Chief Deputy Commissioner and 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 the Arkansas producer license of Angela Stockburger, NPN 77685, is revoked.

IT IS SO ORDERED THIS 4 DAY OF January, ~~2017~~ 2018



ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS