

BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

ARKANSAS INSURANCE DEPARTMENT)
PETITIONER)
)
VS.)
)
MELISSA SMITH)
RESPONDENT)
NPN 17752085)

A.I.D. NO. 2018- **53**

REVOCATION ORDER

On this day, the matter of the producer’s license of Melissa Smith (“Respondent”) came before Allen Kerr, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held on February 22, 2018, in the First Floor Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to the Notice of Hearing dated January 10, 2018. 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 was not present.

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 Alma, Arkansas
3. Respondent holds an Arkansas resident producer license.
4. Respondent was sent notice of hearing by regular and certified mail on January 10, 2018, to the address she provided to the Petitioner.
5. On July 27, 2017, AFLAC sent the Arkansas Insurance Department a fraud report alleging that Respondent had improperly enrolled several groups for health coverage without proper documentation.
6. On August 24, 2017, Arkansas Insurance Department Investigator Marjorie Farmer sent Respondent a letter requesting that she reply to the fraud complaint prepared by AFLCA. Respondent failed to reply to the request for information.
7. On November 27, 2017, Inv. Farmer sent Respondent a second letter requesting that she respond to the AFLAC fraud complaint. Respondent failed to reply to the second request as well.
8. Respondent has refused to cooperate with the Department's requests for information and has refused to cooperate with the Department's investigation.

CONCLUSIONS OF LAW

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

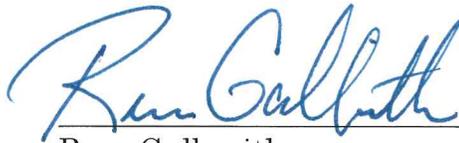
1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Ark. Code Ann. § 23-61-103.

2. Respondent has failed to cooperate with the Department, a violation of Ark. Code Ann. § 23-64-512(a)(17). Specifically, the Respondent failed to respond to two written requests for information.

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 insurance producer license of Respondent Melissa Smith 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 non-resident producer license of Melissa Smith, NPN 17752085, is revoked.

IT IS SO ORDERED THIS 2nd DAY OF May, 2018.

A handwritten signature in cursive script, appearing to read "Allen Kerr", written over a horizontal line.

ALLEN KERR
INSURANCE COMMISSIONER
STATE OF ARKANSAS