BEFORE THE INSURANCE COMMISSIONER
FOR THE STATE OF ARKANSAS

IN THE MATTER OF: AID ORDER NO. 2017- 064

LUCAS ARMSTRONG
PETITIONER

ORDER

On this day, the matter of the application for a producer license of Lucas Armstrong ("Petitioner") came before Allen Kerr, Arkansas Insurance Commissioner ("Commissioner"). A hearing was held on August 10, 2017, in the First Floor Hearing Room of the Arkansas Insurance Department ("Department") pursuant to the Notice of Hearing dated July 28, 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 Petitioner was present and participated in the hearing.

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. Petitioner received notice of the hearing and participated in the hearing.

3. Petitioner resides in Jefferson County, Arkansas.

4. Petitioner submitted an Arkansas resident producer application to the Arkansas Insurance Department on July 24, 2017,. His application was denied on July 25, 2017. Petitioner filed a timely request for hearing on July 26, 2017.

5. Petitioner was previously a licensed Arkansas resident producer. In 2007, Petitioner sold a health care policy without having an insurance license. In 2008, Petitioner's producer license was revoked after he failed to attend an investigative conference. An agreed revocation order was issued on July 8, 2008, in AID Case No. 2008-53.

6. On his 2017 insurance producer application, Petitioner answered "no" to question #2 that asked if he had ever been named or involved as a party in an administrative proceeding involving a professional license. Because Petitioner had been a party in AID Case No. 2008-53, this answer was untrue.

CONCLUSIONS OF LAW

1. Ark. Code Ann. § 23-64-512(a)(1) authorizes the Department to deny an application for an insurance producer's license if the applicant has provided "incorrect, misleading, incomplete, or materially untrue information in the license application." Petitioner provided incorrect or materially untrue information on his application in that he denied ever having been involved in an administrative proceeding.

2. Petitioner has not provided adequate evidence to be "deemed by the commissioner to be competent, trustworthy, financially responsible, and of good

personal and business reputation" as required by Ark. Code Ann. § 23-64-506(e)(1) to obtain an insurance producer's license.

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 Resident Producer license application of Petitioner be denied.

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 application of Lucas Armstrong denied.

IT IS SO ORDERED THIS 11th DAY OF SEPTEMBER, 2017.

ALLEN KERR
INSURANCE COMMISIONER
STATE OF ARKANSAS