

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

**IN THE MATTER OF
JANET EVELYN LUSK, LICENSE NO. 283818**

A.I.D. NO. 2011- 049

EMERGENCY LICENSE REVOCATION ORDER

On this day the matter of Janet Evelyn Lusk ("Respondent"), came before Jay Bradford, Arkansas Insurance Commissioner ("Commissioner"). The Arkansas Insurance Department ("Department") was represented by Ashley Fisher, Associate Counsel.

FINDINGS OF FACT

From the facts before the Commissioner, it is found:

1. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code Ann. § 23-61-103 and the authority to issue emergency license suspensions under Ark. Code Ann. § 23-64-216(e), § 23-64-512(a).
2. Respondent is currently licensed in Arkansas as a resident producer agent. Respondent is licensed as a property, casualty, life, and surety agent. Respondent holds Arkansas license number 283818 and has been licensed with the Department since July 5, 2010. Respondent's address of record at the Department is 9300 Treasure Hill Road, 802, Little Rock, Arkansas 72227. Respondent was denied a renewal of her license on July 6, 2011.
3. The Department received information from the Respondent concerning a criminal conviction in United States District Court for a violation of 18 U.S.C. § 641 for Theft of Public Money a Class C Felony. Respondent pled guilty and was sentenced to two years' probation and restitution in the amount of \$60,869. She was convicted for accepting Social Security funds on behalf of her deceased mother.

CONCLUSIONS OF LAW

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

4. The Respondent is in violation of Ark. Code Ann. §23-64-216(a) (1) which provides that a license may be suspended or revoked for violation of any of the causes listed in Ark. Code Ann. § 23-64-512. Although Respondent's license is not current with the Department, the Department seeks to revoke that license in order to prevent Respondent from obtaining a license for three years.

5. The Respondent is in violation of Ark. Code Ann. § 23-64-512(a) (8), which provides that a license may be suspended or revoked for using fraudulent, coercive, or dishonest practices, or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. By fraudulently taking Social Security benefits, Respondent has shown incompetence, untrustworthiness and financial irresponsibility.

6. At the upcoming hearing, the Department seeks administrative penalties and sanctions, up to and including revocation of the Arkansas insurance licenses of Respondent based on the above allegations.

IT IS THEREFORE ORDERED AND ADJUDGED, as follows:

1. Due to the gravity of the allegations and averments, it is found that a public emergency exists for the immediate suspension of Respondent's licenses.

2. Pursuant to Ark. Code Ann. §§ 23-64-216(e), any and all licenses issued by the Department, whether acquired by Respondent, for being a broker, agent, agency, solicitor, or consultant in this State, are hereby suspended, pending a promptly instituted hearing on the above matter. Respondent's failure to appear at the administrative hearing will prompt a

recommendation to the Commissioner and the hearing officer to immediately revoke all insurance licenses issued to Respondent.

3. The Department shall notify Respondent's appointing insurance companies of this action pursuant to Ark. Code Ann. § 23-64-217(a)(3).

4. The Department reserves the right to amend and/or supplement the facts contained in this Order to include additional violations of state law, with notice to Respondent.

5. A Notice of Hearing is enclosed. At the Hearing, the Department will seek to revoke all insurance licenses of Respondent based on the above allegations.

IT IS SO ORDERED THIS 22nd DAY OF JULY 2011.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS