

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

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

**A.I.D. NO. 2011- 076**

**ORDER**

A hearing was held at 9:00 a.m. on August 9, 2011 in the Hearing Room of the Arkansas Insurance Department in the matter of the Emergency Suspension Order on Janet Lusk. The hearing was held before Chief Deputy Commissioner Lenita Blasingame, (“Hearing Officer”) pursuant to her appointment by Commissioner Jay Bradford in accordance with Ark. Code Ann. § 23-61-103. The Arkansas Insurance Department (“Department”) was represented by Ashley Fisher, Associate Counsel. Ms. Lusk was not present, but participated by phone, and represented herself.

**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.

2. Respondent held a license in Arkansas as a resident producer agent. Respondent was licensed as a property, casualty, life, and surety agent. Respondent held Arkansas license number 283818. 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. Respondent admitted to these actions on the record.

### **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.

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.

### **RECOMMENDATIONS OF THE HEARING OFFICER**

WHEREFORE, based upon the foregoing Findings of Fact, Conclusions of Law, and other matters before her, the Hearing Officer recommends:

8. That Respondent's Resident Producer License No. 283818 be revoked.

Respondent shall not conduct the business of insurance until she has complied with the requirements in Ark. Code Ann. 23-64-217.

  
LENITA BLASINGAME  
CHIEF DEPUTY COMMISSIONER

**CERTIFICATION**

I, Jay Bradford, Insurance Commissioner for the State of Arkansas, do hereby certify that the above Findings of Fact, Conclusions of Law, and Recommendations of the Hearing Officer were made by and under my authority and supervision by Lenita Blasingame, Chief Deputy Commissioner, in this proceeding. I hereby adopt the Hearing Officer's Findings of Fact, Conclusions of Law, and Recommendations in full and enter this Order.

THEREFORE, it is hereby ORDERED that the License Division Ms. Lusk's Resident Producer License be revoked.

IT IS SO ORDERED THIS 2<sup>nd</sup> <sup>September</sup> DAY OF ~~AUGUST~~ 2011.

  
JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS