

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

**ARKANSAS INSURANCE DEPARTMENT,**     )  
**Petitioner**                                     )  
   )  
**vs.**   )  
   )  
**TERI R. MCCLURE,**                             )  
**Respondent**                                     )

**A.I.D. NO. 2012     -     286**

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**ORDER**

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On this day, the matter of Teri R. McClure (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held at 9:00 a.m. on March 14, 2012, in the Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to a Notice of Hearing dated February 3, 2012. The hearing was held before Chief Deputy Commissioner Lenita Blasingame (“Hearing Officer”), pursuant to her appointment by the Commissioner in accordance with Arkansas Code Annotated § 23-61-103. The Department was represented by Amanda J. Andrews, Associate Counsel.

**FINDINGS OF FACT**

1. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Arkansas Code Annotated § 23-61-103.
2. Respondent is a resident of Rogers, Arkansas, and she submitted an application for an Arkansas Individual Resident Producer License to the Department on May 27, 2011.
3. Respondent stated in the application that she had not been convicted of a crime. However, the Arkansas State Police Criminal History Report revealed that Respondent was convicted of theft by receiving in Fayetteville District Court on September 21, 2005.

4. Respondent submitted a second application for an Arkansas Individual Resident Producer License on August 1, 2011, in which she admitted to having been convicted of a crime.

5. On August 15, 2011, the Department notified Respondent that it denied her application for a producer license and permit to sit for the Arkansas Producer's Examination on the basis of Respondent's conviction of theft by receiving in 2005 and her failure to disclose the conviction.

6. Respondent requested a hearing to appeal the license denial, and the appeal hearing was scheduled for March 14, 2012.

7. Respondent failed to appear for the hearing, and after several attempts to contact her by telephone, the Hearing Officer closed the record for the hearing at 10:00 a.m.

#### **CONCLUSIONS OF LAW**

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

8. In order to obtain a producer's license in Arkansas, an individual must be deemed by the Commissioner to be competent, trustworthy, financially responsible, and of good personal and business reputation. Ark. Code Ann. §§ 23-64-202(a)(2)(C)(i); 23-64-506.

9. The Commissioner may refuse to issue an insurance producer's license for any one (1) or more of the following causes: violating a law; and providing incorrect, misleading, incomplete, or materially untrue information in the license application. Ark. Code Ann. §§ 23-64-512(a)(1), (2)(A).

10. Respondent was convicted of theft by receiving in 2005, and she did not disclose the conviction on her application for a producer license. Respondent also failed to appear at the administrative hearing that she requested to appeal the license application denial.

**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:

11. Based upon Respondent's criminal background, including the nature of her conviction being a crime of dishonesty, and her failure to appear at the hearing, I recommend that the decision of the Director of the Licensing Division to deny Respondent's Application for an Individual Resident Insurance Producer License and a permit to sit for the Arkansas Producer's Examination should be affirmed.

  
LENITA BLASINGAME  
CHIEF DEPUTY COMMISSIONER  
and HEARING OFFICER

**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 and Hearing Officer 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 Respondent's Application for an Individual Resident Insurance Producer License and permit to sit for the Arkansas Producer's Examination is denied.

IT IS SO ORDERED this 13<sup>th</sup> day of April, 2012.

  
JAY BRADFORD  
INSURANCE COMMISSIONER  
STATE OF ARKANSAS