

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

ARKANSAS INSURANCE DEPARTMENT,)
Petitioner)
)
vs.)
)
STEPHANIE PAIGE BUFFINGTON,)
Respondent)

A.I.D. NO. 2012- 762

ORDER OF PROBATION

On this day, the matter of Stephanie Paige Buffington (“Respondent”) came before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). A hearing was held at 9:00 a.m. on October 9, 2012 in the Hearing Room of the Arkansas Insurance Department (“Department”) pursuant to a Notice of Hearing dated August 13, 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. Respondent holds Arkansas Resident Producer License Number 278085, and she is a resident of North Little Rock, Arkansas.
2. On June 8, 2012, the Department received notice that MetLife Insurance Company terminated Respondent for cause. Specifically, MetLife asserted that Respondent forged an insured’s name on an asset allocation form for an annuity.
3. On August 13, 2012, the Department mailed to Respondent a Notice of Hearing scheduling an administrative hearing on October 9, 2012, and Respondent appeared at the hearing.

4. Bryan Richey, Agency Sales Director for MetLife, was Respondent's supervisor at the time of her termination, and he testified at the hearing that at the end of April 2012, he instructed Respondent to obtain a consumer's signature on an asset allocation form to accompany an annuity application. Instead of traveling to the consumer's residence to obtain the signature, Respondent signed the customer's name on the form.

5. At the hearing, Respondent admitted that she forged a consumer's name on an asset allocation form, she did not speak to the consumer to discuss the form, and she did not have permission or instruction from the consumer to sign her name. Respondent further testified that the form was only required because she inadvertently checked a box on the application indicating that the form was included with the application, and the form did not change the manner in which the consumer's money was invested.

CONCLUSIONS OF LAW

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

6. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Arkansas Code Annotated § 23-61-103.

7. It is unlawful for a person to knowingly and with intent to defraud, deceive, conceal, or misrepresent, present, cause to be presented, or prepare with knowledge or belief that it will be presented to an insurer false information as part of, in support of, or concerning a fact material to an application for insurance. Ark. Code Ann. § 23-66-501(4)(A)(i).

8. The Commissioner may suspend, revoke or place on probation an insurance producer's license for any one (1) or more of the following causes: violating a law that calls into question the insurance producer's fitness to hold a license; having admitted or been found to have committed any insurance unfair trade practice or fraud; forging another's name to an application

for insurance or to any document related to an insurance transaction; and using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation, or financial irresponsibility. Ark. Code Ann. § 23-64-512(a).

9. Respondent admitted at the hearing that she forged the signature of consumer on an asset allocation form that accompanied an annuity application. However, the form was only required because Respondent inadvertently checked a box on the application indicating that the form was included with the application, and the form did not change the manner in which the consumer's money was invested.

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:

10. Based upon Respondent's violation of Arkansas law, specifically, Arkansas Code Annotated §§ 23-64-512(a) and 23-66-501(4)(A)(i), I recommend that Respondent's Arkansas Resident Producer License be suspended for a period of six (6) months from the date of this order, that Respondent be placed on probation for two (2) years after the suspension period, and that after the suspension period, Respondent notify the Department if and when she intends to seek employment in the business of insurance.


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 Arkansas Resident Producer License is suspended for a period of six (6) months from the date of this order, that Respondent will be on probation for two (2) years after the suspension period, and that after the suspension period, Respondent must notify the Department if and when she intends to seek employment in the business of insurance.

IT IS SO ORDERED THIS 11th DAY OF November, 2012.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS