

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

ARKANSAS INSURANCE DEPARTMENT)
Petitioner)
)
vs.)
)
NICHOLAS JAMES)
Respondent)
)

A.I.D. NO. 2014- 031

CEASE AND DESIST ORDER

On this day, the matter of Nicholas James (“Respondent”) comes before Jay Bradford, Arkansas Insurance Commissioner (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Ava Franks, Associate Counsel, in this matter.

FINDINGS OF FACT

1. Respondent holds Arkansas Nonresident Producer License No. 386241.
2. Respondent does not hold a Health Exchange Producer, Navigator, Guide, or Certified Application Counselor license.
3. Respondent conducts the business of insurance in a manner that requires licensure as a Health Exchange Producer, Navigator, Guide, or Certified Application Counselor.

CONCLUSIONS OF LAW

4. The Commissioner has jurisdiction over the parties and the subject matter pursuant to Arkansas Code §23-61-103.
5. It is unlawful for a person to sell, solicit, or negotiate insurance in Arkansas for any class or classes of insurance unless that person is licensed for that line of authority. Ark. Code Ann. §23-64-503.

6. Persons who wish to act as a Health Exchange Producer, Navigator, Guide, or Certified Application Counselor in the Arkansas Health Insurance Marketplace shall be duly licensed. Ark. Code Ann. §23-64-603, *et.seq.*

7. The Commissioner has the power to summararily order a person to cease and desist from an act or practice that constitutes a violation of an insurance law, rule, or order of the state. Ark. Code Ann. §23-61-103(f)(1)(A).

IT IS HEREBY ORDERED:

Respondent is ordered to cease and desist all activities and business as an Arkansas producer until Respondent becomes duly licensed. Respondent has the right to request a hearing concerning this Order within thirty (30) days of entry of this Order.

IT IS SO ORDERED THIS 11th **day of** February, 2014.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS