

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

**IN THE MATTER OF
ELIZABETH C. LEMONS,
LICENSE #285950**

AID ORDER NO. 2013- 088

EMERGENCY SUSPENSION ORDER

On this day, the matter of Elizabeth C. Lemons (“Respondent”) comes before Jay Bradford, the Insurance Commissioner for the State of Arkansas (“Commissioner”). The Arkansas Insurance Department (“Department”) is represented by Associate Counsel, Nina Carter. From the facts, matters, and other evidence before the Commissioner, the Commissioner does hereby find and conclude as follows:

FINDINGS

1. Respondent Elizabeth C. Lemons is a currently licensed by the Department as a resident funeral expense insurance limited lines producer, License Number 285950, with the last address of record at the Department being 4894 Highway 367 W., Bradford, Arkansas 72020. Respondent is the Manager, Owner, and Funeral Director at Bradford Funeral Home.

2. Respondent is also regulated by the Arkansas State Board of Embalmers and Funeral Directors (“Board”). On August 15, 2013, the Board conducted a hearing based on complaints by several individuals against Respondent and Bradford Funeral Home. Based on the evidence received at the hearing and all legal arguments made, the Board found the following relevant facts [other findings not provided herein]:

- a. Physician signatures were forged on at least twelve (12) death certificates handled by Bradford Funeral Home.

b. Respondent specifically admitted that she signed the physician's name to three (3) death certificates after they were returned to the funeral home by the Arkansas Department of Health for corrections.

3. On August 23, 2013, the Arkansas State Board of Embalmers and Funeral Directors issued an Order which suspended the Funeral Director's License issued to Respondent for one year, suspended the establishment license for Bradford Funeral Home of Kensett, AR for one year, and suspended the establishment license for Bradford Funeral Home of Bradford, AR for one year. The Order also provided for civil penalties to be paid within 90 days of receipt of the Order. The failure to pay the civil penalties ordered on each separate license will result in revocation of that license.

4. Ark. Code Ann. §§ 23-61-101, *et seq.*, assigns the responsibility for administration of the Arkansas Insurance Code to the Arkansas Commissioner of Insurance (hereinafter referred to as the "Commissioner"). The Department is the lawful agency through which the Commissioner administers the Arkansas Insurance Code, and is authorized to bring this action for the protection of Arkansas consumers.

5. The Commissioner has jurisdiction over the parties and subject matter pursuant to Ark. Code Ann. § 23-61-103.

6. The Commissioner has the authority to issue a summary suspension of any producer license issued by him if the public health, safety, or welfare imperatively requires emergency action, pending a hearing, pursuant to Ark. Code Ann. §§ 23-64-216(e) and 25-15-211(c).

7. The actions of Respondent, as described in the preceding paragraphs, are in violation of the Insurance Code for: Having admitted or been found to have committed any

insurance unfair trade practice or fraud, in violation of Ark. Code Ann. § 23-64-512(a)(7); Using fraudulent, coercive, or dishonest practices or demonstrating incompetence, untrustworthiness, lack of good personal or business reputation or financial irresponsibility, in violation of Ark. Code Ann. § 23-64-512(a)(8); and Forging another's name to any document related to an insurance transaction, in violation of Ark. Code Ann. § 23-64-512(a)(10).

8. Based on the inability for Respondents and Bradford Funeral Home to service the outstanding funeral contracts, a public emergency exists to summarily suspend the license issued to Respondent to engage in the business of funeral expense in this State.

9. A hearing shall be promptly scheduled on the issuance of this Order by a Notice of Public Hearing, to consider the terms of this Order as well as consider the issuance of a permanent Order of administrative penalties and sanctions, up to and including revocation of the Arkansas insurance license of Respondent based on the above allegations.

THEREFORE, based on the Findings contained herein and the provisions of Ark. Code Ann. § 23-64-216, the Commissioner hereby orders:

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 insurance licenses.

2. Pursuant to Ark. Code Ann. § 23-64-216(e), any and all licenses issued by the Department, whether acquired by Respondent, Christine Lemons, 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.

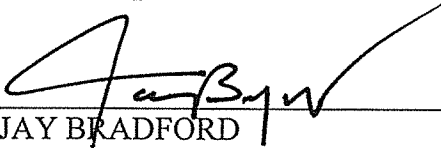
3. Respondent is prohibited from selling any new funeral expense contracts after the date this Order is received by Respondent or legal representative of Respondents.

4. Upon receipt of this Order by Respondent or legal representative of Respondents, Respondent shall permit immediate and full access to Department auditors or examiners to all

books, records, and accounts of the Respondent related to Respondent's prepaid funeral contract operations and accounts.

5. 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.

IT IS SO ORDERED THIS 5th day of September 2013.



JAY BRADFORD
INSURANCE COMMISSIONER
STATE OF ARKANSAS