

STATE OF INDIANA )  
 ) SS:  
COUNTY OF MARION )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 16792-AD18-0102-003

IN THE MATTER OF: )  
 )  
INSURANCE PRODUCER LICENSE )  
APPLICATION OF: )  
 )  
Robert D. Campbell )  
19502 Stanton Lake Drive )  
Cypress, Texas 77433 )  
 )  
Applicant. )  
 )  
Type of Agency Action: Enforcement )  
 )  
Application ID: 613706 )

**FILED**

MAY 29 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

**FINAL ORDER**

On April 5, 2018, the Administrative Law Judge, Reuben B. Hill, filed his Findings of Fact, Conclusions of Law and Recommended Order in the above-captioned matter.

1. The Department served Findings of Fact, Conclusions of law, and Recommended Order on Respondent by mailing the same to his address of record.

2. The Department has complied with the notice requirements of Ind. Code §4-21.5-3-17.

3. Neither party has filed an objection with the Commissioner regarding the Administrative Law Judge's Findings of Fact, Conclusions of Law and Recommended Order, and more than eighteen (18) days have elapsed.

Therefore, the Commissioner of Insurance, being fully advised, now hereby adopts in full the Administrative Law Judge's Findings of Fact, Conclusions of Law, and Recommended Order and issues the following Final Order:

IT IS THEREFORE ORDERED by the Commissioner of Insurance:

1. Applicant's application for an Indiana non-resident insurance producer license is DENIED.

Under Ind. Code §4-21.5-5-5, Respondent has the right to appeal this Final Order by filing a petition for Judicial review in the appropriate court within thirty (30) days.

ALL OF WHICH IS ORDERED by the Commissioner this 29 day of May, 2018.

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Copies to:

Robert D. Campbell  
19502 Stanton Lake Dr.  
Cypress, TX 77433

Erica Dobbs, Attorney  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

CAUSE NO.: 16792-AD18-0102-003

Applicant.

Application ID: 613706

**FILED**

APR 05 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

Administrative Law Judge Reuben B. Hill (“ALJ”), having heard, reviewed and considered all of the evidence, will now render a decision concerning the matter of Robert Campbell (“Applicant”). This matter came on to be heard by the ALJ on February 21, 2018 at 11:00 a.m. at the Indiana Department of Insurance at 311 West Washington Street, Indianapolis, Indiana.

The Enforcement Division of the Indiana Department of Insurance (“Department”) was represented by counsel, Erica J. Dobbs. Applicant appeared by telephone and without counsel. Evidence was heard, and exhibits were received into evidence.

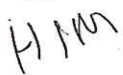
Based upon the evidence presented at said hearing, the ALJ now makes the following Findings of Fact, Conclusions of Law, and issues the Recommended Order.

### **FINDINGS OF FACT**

1. Applicant applied for a Non Resident Producer License on December 3, 2017. His home state is Texas where his license is active and in good standing.
2. Applicant disclosed on his application that he had previously been convicted of a felony. (Department's Exhibit 1).
3. Applicant has prior felony convictions for three (3) counts of Indecent Liberties with a Child and two (2) counts of Second Degree Kidnapping, all out of North Carolina on August 12, 2005.
4. Applicant testified that at the time of the offenses, Applicant was Twenty-Nine (29) years old and the victim was Fifteen (15) years old.
5. Applicant plead guilty to all Five (5) counts and was sentenced to Thirteen (13) to Sixteen (16) months in prison and Sixty (60) months of supervised probation. (Department's Exhibits 2 and 3).
6. Applicant testified that he served Thirteen (13) months in minimum security custody followed by approximately Four (4) years of probation.
7. Applicant was released from probation on August 25, 2010. (Department's Exhibit 2).
8. Applicant testified he is a registered sex offender with a lifetime registration requirement.
9. Applicant admitted One (1) exhibit at the hearing. Applicant's Exhibit A is a character reference letter from his manager.

10. Applicant is employed by US Health Advisors. Applicant testified that he has a team of Thirty (3) to Thirty-Five (35) agents working under him that can seek licensure in only the states where Applicant is licensed.
11. Applicant testified he is licensed in Thirteen (13) states.

### CONCLUSIONS OF LAW

1. The Commissioner of the Indiana Department of Insurance ("Commissioner") has jurisdiction over both the subject matter and the parties to this action.
2. This hearing was held in compliance with the Administrative Orders and Procedures Act of the Indiana Code.
3. Indiana Code 27-1-15.6-12(b) states that the Commissioner may refuse to issue an Insurance Producer License, due to a number of factors.
4. Specifically, Indiana Code 27-1-15.6-12(b)(6) allows the Commissioner to deny an Insurance Producer's license for having been convicted of a felony.
5. Applicant has Five (5) felony convictions, including Second Degree Kidnapping and Indecent Liberties with a Child.
6. Indiana Code 4-21.5-3-14(c) states that the person requesting an agency take action has the burden of persuasion and the burden of going forward. Applicant is requesting that the Department issue <sup>hi</sup> a Non Resident Producer License and, therefore, bears the burden. 
7. Pursuant to Indiana Code 27-1-15.6-12(d), a hearing was held to determine the reasonableness of the Commissioner's decision. Applicant failed to meet his burden of proving the Commissioner's decision was unreasonable.

8. Findings of Fact that can be adopted as Conclusions of Law are hereby incorporated herein as such.

**RECOMMENDED ORDER**

IT IS THEREFORE RECOMMENDED:

In consideration of the foregoing Findings of Fact and the Conclusions of Law as stated, the Administrative Law Judge now recommends to the **Commissioner of Insurance** the following:

1. That Applicant's application for an Indiana Non Resident Producer's License be **DENIED.**

**ALL OF WHICH IS ADOPTED** by the Administrative Law Judge and recommended to the Commissioner of Insurance this 5<sup>th</sup> day of April, 2018



Reuben B. Hill, Esq.  
Administrative Law Judge

Distribution:

Robert D. Campbell  
19502 Stanton Lake Drive  
Cypress, Texas 77433

Erica Dobbs, Attorney  
Indiana Department of Insurance  
311 W. Washington Street, Suite 103  
Indianapolis, Indiana 46204

STATE OF INDIANA     )  
                                  ) SS:  
COUNTY OF MARION    )

BEFORE THE INDIANA  
COMMISSIONER OF INSURANCE

Cause No.: 16792-AD18-0102-003

IN THE MATTER OF:                     )  
                                  )  
INSURANCE PRODUCER LICENSE         )  
APPLICATION OF:                        )  
                                  )  
Robert D. Campbell                     )  
19502 Stanton Lake Dr.                 )  
Cypress, TX 77433                     )

**FILED**

JAN 05 2018

STATE OF INDIANA  
DEPT. OF INSURANCE

**PRELIMINARY ADMINISTRATIVE ORDER**  
**AND NOTICE OF LICENSE DENIAL**

The Indiana Department of Insurance, pursuant to the Indiana Administrative Orders and Procedures Act, Indiana Code § 4-21.5-1 *et seq.* and Indiana Code § 27-1-15.6-12, hereby gives notice to Robert D. Campbell ("Applicant") of the following Administrative Order:

1. Applicant filed an application for nonresident licensure with the Commissioner of the Indiana Department of Insurance ("Commissioner") on December 03, 2017.
2. Before approving an application, the Commissioner must find that the applicant has met specific requirements under Indiana Code § 27-1-15.6-8 and Indiana Code § 27-1-15.6-12.
3. Indiana Code § 27-1-15.6-12(b)(6) provides that the Commissioner may refuse to issue an insurance producer license for having been convicted of a felony.
4. Following a review of materials submitted by Applicant in support of his application, the Commissioner being fully advised, now hereby notifies Applicant that he has not fully met the requirements of licensure as stated by Indiana Code § 27-1-15.6-12(b)(6) due to his August 05, 2005 North Carolina convictions of three (3) counts Indecent Liberties With a

Child, a Class F Felony, and two (2) counts of Second Degree Kidnapping, a Class E Felony.

5. Indiana Code § 27-1-15.6-12(d) provides that the applicant may, not more than sixty-three (63) days after notice of denial of the application is mailed, make written demand to the Commissioner for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action.

**IT IS THEREFORE ORDERED** that Applicant's request for licensure is hereby DENIED pursuant to Indiana Code § 27-1-15.6-12(b)(6), due to his felony convictions.

1-5-2018  
Date Signed

  
Stephen W. Robertson, Commissioner  
Indiana Department of Insurance

Distribution to:

Robert D. Campbell  
19502 Stanton Lake Dr.  
Cypress, TX 77433

Calla Dain, Sr. Investigator  
Indiana Department of Insurance  
311 W. Washington St., Suite 103  
Indianapolis, IN 46204  
317 234-8687, fax 317 234-2103