

STATE OF INDIANA)
) SS:
COUNTY OF MARION)

IN THE MATTER OF:)
)
Lovell A. McKail)
843 NW 127th Ave.)
Coral Springs, FL 33071)
)
Applicant.)
)
Type of Agency Action: Enforcement)
)
License Application #: 923837)

BEFORE THE INDIANA
COMMISSIONER OF INSURANCE

CAUSE NO.: 21170-AD22-0114-011

FILED
FEB 03 2022
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 Lovell A. McKail (“Applicant”) of the following Administrative Order:

1. Applicant filed an application for nonresident producer licensure with the Commissioner of the Indiana Department of Insurance (“Commissioner”) on October 25, 2021.
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)(1) provides, in part, that the Commissioner may refuse to issue an insurance producer’s license for providing incorrect, misleading, incomplete, or materially untrue information in a license application.
4. Indiana Code § 27-1-15.6-12(b)(6), provides, in part, that the Commissioner may refuse to issue an insurance producer’s license for having been convicted of a felony.

5. Indiana Code § 27-1-15.6-12(b)(9) provides, in part, that the Commissioner may refuse to issue an insurance producer's license for having an insurance producer's license or its equivalent, denied, suspended, or revoked in any other state, province, district or territory.
6. 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 Codes §§ 27-1-15.6-12(b)(6) and 27-1-15.6-12(b)(1) due to his April 06, 2006 conviction for Driving While License Suspended, a Felony, and his failure to disclose it in his license application.
7. Following a review of materials submitted by Applicant in support of his application and a review of public records, 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)(1) due to his failure to disclose the following criminal proceedings:
 - a. 2001 Withheld Adjudication of a charge for Possession of Marijuana, a Misdemeanor;
 - b. 2003 Withheld Adjudication of a charge for Battery, a Misdemeanor;
 - c. 2003 conviction for Possession of Marijuana, a Misdemeanor; and
 - d. 2004 Withheld Adjudication of a charge for Driving While License Suspended, a Felony.
8. Following a review of public records and 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 Codes §§ 27-1-15.6-12(b)(9) and 27-1-15.6-12(b)(1), due to the following administrative actions, and his failure to disclose them on his application:

- a. May 18, 2018 license denial issued by the Indiana Department of Insurance;
 - b. January 17, 2019 license revocation issued by the Louisiana Department of Insurance;
 - c. March 13, 2020 license revocation issued by the North Carolina Department of Insurance; and
 - d. June 24, 2020 license revocation issued by the Wyoming Department of Insurance.
9. 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.
10. This is considered an agency action. This action has been initiated by the aforementioned authority. If you choose to appeal this agency action, the State of Indiana Office of Administrative Law Proceedings ("OALP") will assign an administrative law judge to preside over this matter, and subsequently you will be contacted by the OALP with more information to begin the administrative process.

IT IS THEREFORE ORDERED that Applicant's request for licensure is hereby **DENIED** pursuant to Indiana Codes §§ 27-1-15.6-12(b)(9), 27-1-15.6-12(b)(6), and 27-1-15.6-12(b)(1) due to Applicant's three (3) license revocations, his felony conviction, his failure to disclose the same, and his failure to disclose his criminal history to the Department. Applicant may reapply for licensure not less than one (1) year from the date of this order.

213/22
Date Signed

Amy L Beard
Amy L. Beard, Commissioner
Indiana Department of Insurance

Distribution to:

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