

DEPARTMENT OF INSURANCE, FINANCIAL INSTITUTIONS AND PROFESSIONAL REGISTRATION

P.O. Box 690, Jefferson City, Mo. 65102-0690

In the Matter of:

BETTY ANN BAILEY

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**AIC Case No. 10-0134 DI
DIFP Case No. 090921702C**

**FINDINGS OF FACT, CONCLUSIONS OF LAW
AND ORDER OF DISCIPLINE**

JOHN HUFF, Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration, hereby makes the following Findings of Fact, Conclusions of Law, and Order.

Findings of Fact

1. John Huff is the duly appointed Director of the Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter, "Director") whose duties, pursuant to Chapters 374 and 375, RSMo, include the supervision, regulation and discipline of insurance producers and business entity producers.

2. The Missouri Department of Insurance, Financial Institutions and Professional Registration (hereinafter "the Department"), issued an insurance producer license to Betty Ann

Bailey, on January 2, 1982, (license No. 342600). Bailey's insurance producer license was subsequently renewed until it expired on February 3, 2009. Bailey has not applied to renew the license since it expired.

3. On March 22, 2005, Bailey was issued a license as a nonresident agent to transact the business of insurance in Kansas.

4. On November 6, 2008, Bailey pleaded guilty to 23 separate misdemeanor counts of unlawfully and intentionally obtaining or exerting unauthorized control over property worth less than \$1,000 in Kansas, K.S.A. § 21-3701(a)(1). All of these acts occurred when Bailey misappropriated premium dollars while employed with Palmer, LLC, A Brooke Corporation insurance agency.

5. On January 29, 2010, the Director filed a complaint against Bailey with the Administrative Hearing Commission seeking to discipline Bailey's insurance producer license pursuant to § 375.141.1(2), (4), (6), (8), and (9), RSMo (Supp. 2009).

6. On February 6, 2010, Bailey was served with a copy of the complaint by certified mail. Bailey did not respond to the complaint.

7. On June 22, 2010, the Director filed a Motion for Summary Decision and Suggestions in Support of Motion for Summary Decision. The Administrative Hearing Commission gave Bailey until July 7, 2010, to respond to the Director's Motion for Summary Decision. Bailey filed no response.

8. On July 14, 2010, the Administrative Hearing Commission issued its Decision determining that cause exists to discipline Bailey's Missouri insurance producer license pursuant to § 375.141.1(2), (4), (6), (8), and (9), RSMo (Supp. 2009), and certified the record of its proceeding to the Director pursuant to § 621.110, RSMo (Supp. 2009).

9. The Director mailed to Bailey a notice of the disciplinary hearing to be held at 1:30 p.m. on August 24, 2010, in the offices of the Director, 301 West High Street, Room 530, Jefferson City, Missouri. Bailey received notice of the disciplinary hearing by certified mail. Bailey did not appear at the disciplinary hearing personally or through counsel. At the hearing, counsel for the Department presented the Decision and record of the Administrative Hearing Commission in AHC Case No. 10-0134 DI and recommended that the Director revoke Bailey's insurance producer license.

10. The Director hereby adopts and incorporates the Administrative Hearing Commission's Decision dated July 14, 2010, referenced herein and does hereby find in accordance with the same.

Conclusions of Law

11. Pursuant to §§ 375.141 and 621.110, RSMo (Supp. 2009), the Director has the discretion to discipline Bailey's insurance producer license including revocation of such license.

12. Based on the nature and severity of the aforementioned conduct, sufficient grounds exist to revoke Bailey's insurance producer license pursuant to § 375.141.1(2), (4), (6), (8), and (9), RSMo (Supp. 2009).

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing, including all attachments, was mailed, with sufficient postage attached, via certified mail through the United States Postal Service, certified mail # 70070710000220552725, on this 22nd day of September, 2010 to:

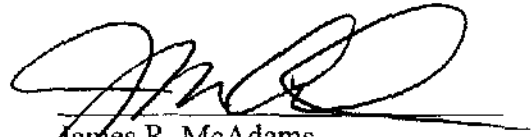
Betty Ann Bailey
874 County Lane 228
Oronogo, Missouri 64855

Kathryn Randolph

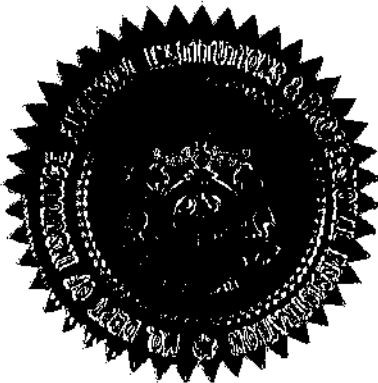
ORDER


Based on the evidence presented and the recommendation of the Department to revoke, the insurance producer license of Betty Ann Bailey (License No. 342600) is hereby **REVOKED**.

So recommended by the Hearing Officer this 13th day of September, 2010.


James R. McAdams
Hearing Officer

**SO ORDERED, SIGNED AND OFFICIAL SEAL AFFIXED THIS 20th DAY OF
SEPTEMBER, 2010.**

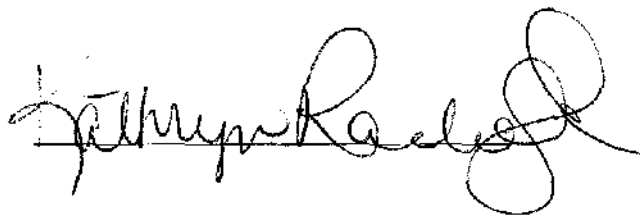



JOHN HUFF, Director
Missouri Department of Insurance,
Financial Institutions and
Professional Registration

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the foregoing, including all attachments, was mailed, with sufficient postage attached, via certified mail through the United States Postal Service, certified mail # 7004135000314135287, on this 24th day of September, 2010 to:

Betty Ann Bailey
874 County Lane 228
Oronogo, Missouri 64855

A handwritten signature in black ink, appearing to read "Betty Ann Bailey", written over a horizontal line. The signature is cursive and somewhat stylized.