STATE OF ARIZONA FILED

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In the Matter of:)
) No. 06A- ¹³ 4INS
KEVIN TODD RUSHLO)) CONSENT ORDER
Respondent.)

The State of Arizona Department of Insurance ("Department") has received evidence that Kevin Todd Rushlo ("Respondent") violated provisions of Title 20, Arizona Revised Statutes. Respondent wishes to resolve this matter without the commencement of formal proceedings, and admits the following Findings of Fact are true and consents to entry of the following Conclusions of Law and Order.

FINDINGS OF FACT

- Respondent is, and was at all material times licensed as a resident life, accident, and health insurance producer, Arizona license number 857824, which license expires August 31, 2009.
- 2. On or about April 3, 2003, Respondent contracted with American Family Life Assurance Company of Columbus (AFLAC) to transact insurance business on its behalf.
- 3. Between January 14, 2006 and April 3, 2006, Respondent manufactured and submitted to AFLAC 154 fictitious accident and health insurance policy applications for eight payroll groups representing \$78,522.24 in annual premium which resulted in the payment of \$14,747.40 in commissions to Respondent.

CONCLUSIONS OF LAW

- 1. The Director has jurisdiction over this matter.
- 2. Respondent's conduct as described above constitutes improperly withholding, misappropriating or converting any monies or properties received in the course of doing insurance business within the meaning of A.R.S. §20-295(A)(4).
- 3. Respondent's conduct as described above constitutes Intentionally misrepresenting the terms of an actual or proposed insurance contract or application for insurance within the meaning of A.R.S. §20-295(A)(5).
- 4. Respondent's conduct as described above constitutes demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere within the meaning of A.R.S. §20-295(A)(8).
- 5. Respondent's conduct as described above constitutes forging another's name to any document related to an insurance transaction within the meaning of A.R.S. §20-295(A)(10).
- 6. Grounds exist for the Director to suspend, revoke, or refuse to renew Respondent's insurance license, impose a civil penalty and/or order restitution pursuant to A.R.S. §§20-295(A)&(F).

ORDER

IT IS HEREBY ORDERED THAT:

1. Respondent's insurance license is revoked effective immediately upon entry of this Order.

2. Respondent shall pay restitution to AFLAC in the amount of \$14,747.40.

DATED AND EFFECTIVE this 18th day of July, 2006.

CHISTINA URIAS
Director of Insurance

CONSENT TO ORDER

- Respondent has reviewed the foregoing Findings of Fact, Conclusions of Law and Order.
- Respondent admits the jurisdiction of the Director of Insurance, State of Arizona, and admits the foregoing Findings of Fact and consents to the entry of the foregoing
 Conclusions of Law and Order.
- 3. Respondent is aware of his right to notice and a hearing at which he may be represented by counsel, present evidence and examine witnesses. Respondent irrevocably waives his right to such notice and hearing and to any court appeals relating to this Consent Order.
- 4. Respondent states that no promise of any kind or nature whatsoever, except as expressly contained in this Consent Order, was made to him to induce him to enter into this Consent Order and that he has entered into this Consent Order voluntarily.
- 5. Respondent acknowledges that the acceptance of this Consent Order by the Director is solely to settle this matter against him and does not preclude any other agency, officer, or subdivision of this state from instituting civil or criminal proceedings as may be

1	appropriate now or in the future nor does it preclude the Department from instituting						
2	proceedings not related to this matter as may be appropriate now or in the future.						
3							
4	Date Kevin Todd Rushlo						
5	License Number 857824						
6							
7	COPIES of the foregoing mailed/delivered this <u>19th</u> day of <u>July</u> , 2006, to:						
8							
9	Kevin Todd Rushlo						
10	6706 3 rd Street Cass City, MI 48726-1640						
11							
12	Mary E. Kosinski, Exec. Assistant for Reg. Affairs Catherine M. O'Neil, Consumer Legal Affairs Officer						
13	Terry Cooper, Assistant Director Steve Fromholtz, Licensing Supervisor Arnold Sniegowski, Investigations Supervisor Mark Denman, Investigator						
14							
15	Department of Insurance 2910 North 44 th Street, Suite 210 Phoenix, Arizona 85018						
16	Thoenix, Anzona 030 To						
17	Linda Lighton						
18	Curvey Walters Burton						
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