



MISSISSIPPI INSURANCE DEPARTMENT

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MIKE CHANEY
 Commissioner of Insurance
 State Fire Marshal

MARK HAIRE
 Deputy Commissioner of Insurance

RICKY DAVIS
 State Chief Deputy Fire Marshal

Mr. Robert Wade Rushing
 P.O. Box 1618
 McComb, MS 39649

SENT VIA CERTIFIED MAIL
 and also
 VIA U.S. MAIL, POSTAGE PREPAID

Re: Denial of Application to Reinstate Mississippi Insurance Producer License;
 Applicant: Robert Wade Rushing; License # 305075

Dear Mr. Rushing:

This letter is to inform you that your Application for Reinstatement of Mississippi Insurance Producer license has been **DENIED** due to the following:

- (1) On or about January 25, 2019, a check in the amount of \$2,674.82 was paid to "Rushing Insurance Agency" as premiums for a policy purchased by Michael Lawson and Amanda Lawson, with Robert Wade Rushing as the agent for Tim Parkman, Inc. The check for the premiums posted for deposit into the Rushing Insurance Agency bank account on January 31, 2019. During the month of February 2019 (as early as approximately February 11, 2019), Robert Wade Rushing was contacted multiple times by Tim Parkman, Inc. in an effort to clear up the situation and obtain payment of the premiums due for the Lawsons' policy. Proceeds for the payment of the outstanding premiums due to Tim Parkman, Inc. for the Lawsons' policy was not made until on or about May 2, 2019, following the receipt of a complaint and the initiation of an investigation by the Mississippi Insurance Department. This constitutes the improper withholding and misappropriation of monies received in the course of doing insurance business, and also demonstrates incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this State.
- (2) In or about the month of May 2018, Robert Wade Rushing, as servicing insurance agent for general liability and commercial property insurance policies provided to Wes Hawkins, did fail to provide timely notification of renewal to Wes Hawkins relative to said policies, resulting in the lapse of the policies on or about May 4, 2018. On or about July 8, 2018, the property at issue in the commercial property insurance was damaged by fire resulting in significant loss. Wes Hawkins was unaware that his policy had lapsed, and is now facing significant financial loss as a result of the lapsed coverage. The actions and inactions of Robert Wade Rushing in this situation demonstrate incompetence and untrustworthiness in the conduct of business in this state.

Miss. Code § 83-17-71 (Supp. 2018) states that the Commissioner of Insurance may refuse to renew an insurance producer's license for the following causes: (d) Improperly withholding, misappropriating or converting any monies or properties received in the course of doing insurance business; (h) demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere.¹

Therefore, pursuant to the above statute, your Application to Reinstate your Mississippi Insurance Producer license is hereby DENIED. You may make written demand upon the Commissioner within ten (10) days for a hearing before the Commissioner to determine the reasonableness of the Commissioner's action. The hearing shall be held within thirty (30) days of receipt of the written request. Your request for a hearing should be submitted through the undersigned.

SO ISSUED, this the 22nd day of August, 2019.

MIKE CHANEY
COMMISSIONER OF INSURANCE

By:



Mark Lampton
Special Assistant Attorney General
Mississippi Department of Insurance

MC/ML/bs

¹ If a hearing is had in this matter, the additional provisions of Miss. Code §83-17-71(4) apply as follows: "In addition to, or in lieu of, any applicable denial, suspension or revocation of a license, a person may, after hearing, be subject to a civil fine not to exceed One Thousand Dollars (\$1,000.00) per violation."