

**BEFORE THE MISSISSIPPI INSURANCE DEPARTMENT
FOR THE STATE OF MISSISSIPPI**

**IN RE: BOBBY HAUSLEY
 Resident Insurance Producer
 License No. 10061877**

FINAL ADMINISTRATIVE ORDER

THIS MATTER came on for hearing before the Commissioner of Insurance for the State of Mississippi (“Commissioner”), by and through his specially designated appointee, the Hon. Mark Lampton (hereinafter “Hearing Officer”), via teleconference on Tuesday, July 20, 2021, at 10:00 a.m. CST, pursuant to the Amended Notice of Hearing dated May 27, 2021 and the order of continuance date June 29, 2021. Having received notice of the hearing, the Respondent, Bobby Hausley, appeared via telephone and participated in the hearing. The Respondent expressed that he understood his right to be represented by an attorney, but choose not to retain an attorney, and further expressed that he understood the allegations in the Notice of Hearing and Statement of Charges, and that he was ready to proceed with the hearing.

Senior Attorney Phillips Strickland represented the Mississippi Insurance Department (“MID”) at the hearing. The State introduced several items of documentary evidence and called one witness, UnitedHealthCare Investigator Christopher Hansen. The Respondent also testified at the hearing and called one witness, Sam Eidson, Director of Operations, Northstar Insurance Company. Based upon the documentary evidence and testimony, and upon the recommendation given by the Hearing Officer, the Commissioner makes the following Findings of Fact and Conclusions of Law, to-wit:

I. AUTHORITY

Miss. Code. § 83-17-71(1) (Supp. 2020) states that the Commissioner may place on probation, suspend, revoke or refuse to issue or renew an insurance producer's license or may levy a civil penalty in an amount not to exceed One Thousand Dollars (\$1,000.00) per violation. *Miss. Code. § 83-17-71(1)(h) (Supp. 2020)* prohibits using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state or elsewhere. *Miss. Code. § 83-17-71(1)(j) (Supp. 2020)* prohibits forging another's name to an application for insurance or to any document related to an insurance transaction. It is alleged in the Notice of Hearing and Statement of Charges that the Respondent committed ten (10) separate violations of *Miss. Code. § 83-17-71(1)(h) and (j)*.

II. FINDINGS OF FACT

AFTER CONSIDERING all of the evidence presented, using the standard of proof of "clear and convincing evidence", the Commissioner of Insurance makes the following Findings of Fact:

(1) On or about May 27, 2021, the Commissioner, through his attorney, gave the required notice to the Respondent of the intention to hold a hearing for the purpose of reviewing the status of Respondent's Resident Insurance Producer license in the State of Mississippi, and to potentially revoke any current license the Respondent may hold and/or to impose a civil penalty. (State's Exhibit S-1)

(2) The Respondent received the Notice of Hearing, providing notice of an administrative hearing to be held on Tuesday, June 29, 2021 at 10:00 a.m. CST via teleconference pursuant to Miss. Admin. Code Title 19 (Dept. of Insurance), Part 1, Chapter 44 (Administrative Hearing Procedures Specific to COVID-19). The USPS Tracking information

accompanying the Notice of Hearing reflects delivery on June 3, 2021. Furthermore, on June 28, 2021, the Respondent agreed to a continuance, and an Order of Continuance was entered resetting the hearing date to July 20, 2021.

(3) On June 5, 2019 a letter was sent to MID stating that Respondent's appointment with UnitedHealthCare ("UHC") as an insurance producer was terminated for cause on June 3, 2019 for violations of UHC agent conduct policies, including egregious and fraudulent conduct, evasive behavior during investigation, and unsolicited customer contact. (S-2), (S-3), (testimony of Chris Hansen)

(4) UHC customers Wayne, Mary, Betsy, and Darrell filed formal complaints with UHC stating that they had been disenrolled from their current Medicare plan and enrolled in an Express Scripts drug plan without their knowledge or consent. (S-3), (Hansen)

(5) UHC Investigator Hansen wrote the investigative report found in State's Exhibit S-3 and as part of his investigation, reviewed all documents contained therein, and personally interviewed eight of the ten victims, and had written statements from the other two. (Hansen)

(6) In light of the facts found in the record taken together as a whole, the testimony of UHC Investigator Hansen was found credible. (S-3), (Hansen)

(7) On or about December 14, 2018, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Wayne" without his knowledge or consent by and by forging his signature on said application. (S-3), (S-4), (Hansen)

(8) On or about March 11, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim "Mary" without her knowledge or consent and by forging her signature on said application. (S-3), (S-5), (Hansen)

- (9) On or about March 15, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Betsy” without her knowledge or consent and by forging her signature on said application. (S-3), (S-6), (Hansen)
- (10) On or about March 15, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Darrell” without his knowledge or consent and by forging his signature on said application. (S-3), (S-7), (Hansen)
- (11) On or about February 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Naomi” without her knowledge or consent and by forging her signature on said application. (S-3), (S-8), (Hansen)
- (12) On or about March 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Shirley” without her knowledge or consent and by forging her signature on said application. (S-3), (S-9), (Hansen)
- (13) On or about April 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Terry” without his/her knowledge or consent and by forging his/her signature on said application. (S-3), (S-10), (Hansen)
- (14) On or about April 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Rebecca” without her knowledge or consent and by forging her signature on said application. (S-3), (S-11), (Hansen)
- (15) On or about March 1, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Molly” without her knowledge or consent and by forging her signature on said application. (S-3), (S-12), (Hansen)
- (16) On or about March 4, 2019, Respondent submitted an application for a Medicare insurance product on behalf of Victim “Shirley” without her knowledge or consent and by forging her signature on said application. (S-3), (S-13), (Hansen)

(17) The Respondent, Bobby Hausley testified at hearing that he did not forge any signatures on any of the applications at issue, however his testimony was not found credible. Respondent provided no reasonable explanation why so many of his supposed clients filed complaints and expressed that they had no knowledge of and had not consented to the submission of the applications on their behalf. The most logical explanation is that Respondent submitted the applications without consulting them, and forged their signatures in the process, either by his own hand or through complicity with another actor. The evidence clearly and convincingly establishes these findings.

III. CONCLUSIONS OF LAW

IN LIGHT OF THE AFOREMENTIONED Findings of Fact, the Commissioner of Insurance for the State of Mississippi finds that Respondent, Bobby Hausley, has committed the following violations:

Respondent has committed ten violations of the provisions of *Miss. Code. § 83-17-71(1)(h) and (j) (Supp. 2020)* by using fraudulent, coercive or dishonest practices or demonstrating incompetence, untrustworthiness or financial irresponsibility in the conduct of business in this state, and by forging another's name to an application for insurance or to any document related to an insurance transaction.

IV. JUDGMENT

IT IS, THEREFORE, ORDERED that the CHARGES set forth in the Notice of Hearing and Statement of Charges alleging ten (10) separate violations of *Miss. Code. § 83-17-71(1)(h) and (j) (Supp. 2020)* are hereby **SUSTAINED**.

IT IS ORDERED, that the privilege license of Respondent, Bobby Hausley, having license no. **10061877**, to act as a Resident Insurance Producer in the State of Mississippi, should be and hereby is **REVOKED**, effective immediately.

It is noted that should the Respondent wish to appeal the Order of the Commissioner, he may follow the procedure set forth in § 83-17-83 of the *Mississippi Code of 1972, as Amended*.

SO ORDERED, this the 27 day of July, 2021.


MIKE CHANEY
COMMISSIONER OF INSURANCE
STATE OF MISSISSIPPI

Recommended by:


MARK LAMPTON
HEARING OFFICER