

1 STATE OF ALASKA
2 DEPARTMENT OF COMMERCE, COMMUNITY, & ECONOMIC DEVELOPMENT
3 DIVISION OF INSURANCE
4

5 In the Matter of:)
6 SARAH E. WALSH,)
7 Licensee.)
8 _____)

9 Case No. D 09-10

10 STIPULATED AGREEMENT AND ORDER

11 The Division of Insurance (division) and Sarah E. Walsh (Ms. Walsh), the
12 licensee in this matter, stipulate and agree to the following:
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14 I. BACKGROUND

15 A. On or about September 11, 2008, the division issued an individual
16 insurance producer license to Ms. Walsh, under license number 73484, based on the application
17 that Ms. Walsh submitted to the division on or about September 4, 2008.

18 B. Question 39(1) of the application asks: "Have you ever been convicted
19 of a crime, had a judgment withheld or deferred, or are you currently charged with committing a
20 crime?" To this question, Ms. Walsh answered "no."

21 C. As Ms. Walsh's application was complete and her answers on the
22 application did not indicate any reason not to issue her a license, the division issued the license.

23 D. Subsequently, the division received a criminal history report that
24 revealed that Ms. Walsh had been arrested for theft in June 2008 and of which she was
25

26 convicted on September 19, 2008. Since Ms. Walsh's criminal matter was pending with the

1 court at the time she applied for her insurance producer's license, the division sought
2 clarification as to why her criminal history was not reflected in her application. In response to
3 the division's request, Ms. Walsh stated that she had not read the whole question. But she also
4 stated that she had hoped "to find any job before I went to court and couldn't pass a background
5 check any longer." That statement suggests that Ms. Walsh was aware of the need for
6 disclosure. Information regarding the conviction indicates that she pled guilty to theft, for
7 which she was fined, ordered to pay restitution and to perform community service, and placed
8 on probation for one year under a suspended imposition of sentence.
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10 E. Although she advised her employer of her criminal history after her
11 license was issued, Ms. Walsh never did notify the division of her conviction.

12 II. TERMS OF AGREEMENT

13 1. Ms. Walsh agrees to pay a civil penalty under AS 21.27.440(a) in the
14 amount of \$1,500, with \$750 suspended. The civil penalty is payable within three months from
15 the time Ms. Walsh is notified that the director has signed the order approving this agreement.
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17 2. In the event Ms. Walsh violates the insurance code or applicable
18 regulations during the next two years, the suspended portion of the fine referenced in
19 paragraph 1 will be reinstated. Ms. Walsh also will be subject to any and all sanctions
20 authorized by the insurance code including imposition of additional fines or penalties.

21 3. By signing this agreement, Ms. Walsh understands and agrees that any
22 failure to comply with the terms of this agreement may be grounds to revoke, further suspend,
23 or non-renew Alaska insurance license number 73484.
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1 4. Ms. Walsh understands that this agreement is not binding on the parties
2 unless and until the director signs the order approving the agreement.

3 DATED: July 8, 2009

DIVISION OF INSURANCE

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5 By: Linda Brunette
Linda Brunette
Program Coordinator

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8 DATED: June 26, 2009

Sarah E. Walsh
Sarah E. Walsh

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10 Approved as to form and content:

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12 DATED: July 15, 2009

DANIEL S. SULLIVAN
ATTORNEY GENERAL

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15 By: Daniel Wilkerson
Daniel Wilkerson
Assistant Attorney General

16
17 ORDER

18 IT IS ORDERED that this Stipulated Agreement and Order is adopted in full
19 resolution of the issues in this case, and shall constitute the final order in this matter.

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21 DATED this 15th day of July, 2009.

22
23 Linda S. Hall
Linda S. Hall
Director of Insurance