

No. 2018-5442

**OFFICIAL ORDER
of the
TEXAS COMMISSIONER OF INSURANCE**

Date: MAR 30 2018

Subject Considered:

RIMKUS CONSULTING GROUP, INC.
8200 Cameron Road Ste. C-140
Austin, Texas 78754

CONSENT ORDER
TDI ENFORCEMENT FILE NO. 12969

General remarks and official action taken:

This subject of this order is whether disciplinary action should be taken against Rimkus Consulting Group, Inc. (Rimkus).

WAIVER

Rimkus acknowledges that the Texas Insurance Code and other applicable laws provide certain rights. Rimkus waives all of these rights and any other applicable procedural rights in consideration of the entry of this consent order.

FINDINGS OF FACT

Registered Continuing Education Provider

1. Rimkus is a continuing education (CE) provider subject to regulation by the Texas Department of Insurance. Rimkus' provider number is 32483.

Administration of Expired Continuing Education Course

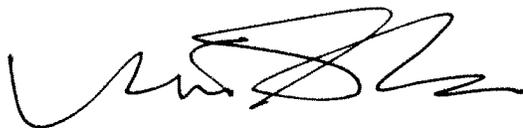
2. Pursuant to 28 TEX. ADMIN. CODE § 19.1007(d), continuing education course certifications are valid for two years at which time the course certification shall expire and the provider must then resubmit the course for certification.
3. On September 8, 2015, CE course no. 85448 expired, and Rimkus failed to take note of the expiration.
4. On February 2, 2017, Rimkus administered the expired CE course to 166 licensees.

5. Although the 166 licensees had not been able to receive credit for taking the expired CE course due to Rimkus' failure to resubmit the course for certification, the department has been able to restore the appropriate credits to these individuals.
6. To avoid recurrence of this error in the future, Rimkus has implemented an electronic calendaring system that automatically flags expiring course certifications sixty (60) days in advance of the expiration date.

CONCLUSIONS OF LAW

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051-82.055, 84.021-84.051, and 4005.101-4005.108; 28 TEX. ADMIN. CODE §§ 19.1007, 19.1015 and 19.1016; and TEX. GOV'T CODE §§ 2001.051-2001.178.
2. TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE §§ 1.47, 1.88, and 1.89 give the commissioner authority to dispose of this case informally.
3. Rimkus failed to renew its course certification after the two year expiration pursuant to 28 TEX. ADMIN. CODE § 19.1007(d).
4. Rimkus violated 28 TEX. ADMIN. CODE §19.1015(b)(1) by failing to comply with the Texas Insurance Code or 28 TEX. ADMIN. CODE Chapter 19, Subchapter K.
5. Rimkus violated 28 TEX. ADMIN. CODE §19.1015(b)(3) by advertising course material in a manner not in compliance with 28 TEX. ADMIN. CODE Chapter 19, Subchapter K.
6. Rimkus violated 28 TEX. ADMIN. CODE §19.1015(b)(16) by failing to timely file its course renewal statement.

It is ordered that Rimkus Consulting Group, Inc. pay an administrative penalty of \$15,000 within 30 days from the date of this order. Rimkus Consulting Group, Inc. must pay the administrative penalty by cashier's check or money order payable to the State of Texas. Rimkus Consulting Group, Inc. must mail the payment to the Texas Department of Insurance, Att: Enforcement Section, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.



Kent C. Sullivan
Commissioner of Insurance

2018- 5442

COMMISSIONER'S ORDER
Rimkus Consulting Group, Inc.
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APPROVED AS TO FORM AND CONTENT

A handwritten signature in black ink, appearing to read "Sarah White", is written over a horizontal line.

Sarah White
Staff Attorney, Enforcement Section
Texas Department of Insurance

AFFIDAVIT

STATE OF TEXAS

§

COUNTY OF HARRIS

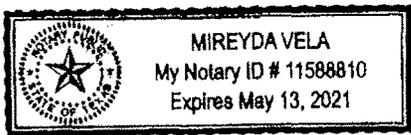
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BEFORE ME, the undersigned authority, personally appeared the affiant, who being by me duly sworn, deposed as follows:

1. "My name is Michael W. Wiseman I am of sound mind, capable of making this statement, and personally acquainted with the facts stated herein.
2. I hold the office of Senior Vice President. I am the authorized representative of Rimkus Consulting Group, Inc. and am duly authorized to execute this affidavit.
3. Rimkus Consulting Group, Inc. waives rights provided by the Texas Insurance Code and other applicable law and acknowledges the jurisdiction of the commissioner of insurance of the state of Texas.
4. Rimkus Consulting Group, Inc. has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the foregoing consent order by the commissioner of insurance of the state of Texas."

Michael W. Wiseman
Affiant

SWORN TO AND SUBSCRIBED before me on this 7th day of February, 2018.



Mireyda Vela
Signature of Notary Public

(NOTARY STAMP)