

No. 2019- 6029

**Official Order
of the
Texas Commissioner of Insurance**

Date: JUL 3 1 2019

Subject Considered:

GuideOne Mutual Insurance Company
1111 Ashworth Road
West Des Moines, Iowa 50265

Consent Order
TDI Enforcement File No. 18677

General remarks and official action taken:

This is a consent order with GuideOne Mutual Insurance Company (GuideOne). GuideOne issued a commercial liability policy to a risk purchasing group without first filing those forms and obtaining approval from TDI. GuideOne has agreed to pay a \$30,000 administrative penalty.

Waiver

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

Findings of Fact

1. GuideOne is a fire and casualty insurance company holding a certificate of authority to transact business in the state of Texas.
2. Beginning September 1, 2018, GuideOne issued policies in Texas through a master policy issued to a risk purchasing group, IG. Inc. dba RSIG ("RSIG"). Approximately 28 Texas resident businesses and individuals received these policies.
3. GuideOne did not file the policy forms for review and approval with TDI prior to issuing the policies.

4. GuideOne made form filings in Tennessee, where RSIG is domiciled and where the master policy was issued. GuideOne represents that it was unaware of Texas' filing requirements prior to issuing the policies in Texas.
5. After TDI notified GuideOne of the failure to file, GuideOne filed the policy forms in Texas and requested TDI approval on December 19, 2018.
6. There is no evidence of consumer harm to Texans related to the use of the unapproved forms by GuideOne.

Conclusions of Law

1. The commissioner has jurisdiction over this matter pursuant to TEX. INS. CODE §§ 82.051 – 82.055, 84.021 – 84.044, and 801.051 – 801.053.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, TEX. INS. CODE § 82.055, and 28 TEX. ADMIN. CODE § 1.47.
3. GuideOne has knowingly and voluntarily waived all procedural rights to which it may have been entitled regarding the entry of this order, including, but not limited to, issuance and service of notice of intention to institute disciplinary action, notice of hearing, a public hearing, a proposal for decision, rehearing by the commissioner, and judicial review.
4. GuideOne violated TEX. INS. CODE § 2301.006 and 28 TEX. ADMIN. CODE § 5.9322 by failing to file and using an unapproved form.

Order

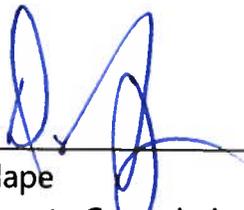
It is ordered that GuideOne Mutual Insurance Company must pay an administrative penalty of \$30,000.00 within 30 days from the date of this order. The penalty must be paid by cashier's check or money order made payable to the "State of Texas." Mail the administrative penalty to

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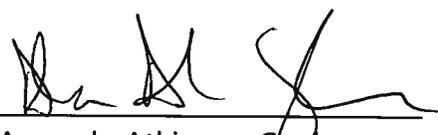
the Texas Department of Insurance, Attn: Enforcement Section, Division 60851, MC 9999, P.O.
Box 149104, Austin, Texas 78714-9104.

Kent C. Sullivan
Commissioner of Insurance

By: 
Doug Slape
Chief Deputy Commissioner
Commissioner's Order No. 2018-5528

Recommended and reviewed by:


Leah Gillum, Associate Commissioner
Enforcement Section


Amanda Atkinson Cagle
Staff Attorney, Enforcement Section
Texas Department of Insurance

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Affidavit

THE STATE OF Iowa

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COUNTY OF POIK

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

"My name is Ann Mickelson I am of sound mind, capable of making this statement, and have personal knowledge of these facts which are true and correct.

I hold the office of VP of Legal and am the authorized representative of GuideOne Mutual Insurance Company. I am duly authorized by the organization to execute this statement.

GuideOne Mutual Insurance Company has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Ann Mickelson
Affiant

SWORN TO AND SUBSCRIBED before me on May 29, 2019.

(NOTARY STAMP)

Angela Sharpnack
Signature of Notary Public

