

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

FILED  
FEB 24 2016  
INSURANCE COMMISSIONER  
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN D. )  
DOAK, Insurance Commissioner, )  
 )  
Petitioner, )  
 )  
v. )  
 )  
THE KEMPTON GROUP )  
ADMINISTRATORS, INC., )  
a resident third-party )  
administrator, )  
 )  
Respondent. )

Case No. 16-0087-DIS

**CONSENT ORDER**

COMES NOW the State of Oklahoma, ex rel. John D. Doak, Insurance Commissioner, by and through Counsel, Dan R. Byrd, and the Kempton Group Administrators, Inc. (“Respondent”) and enter into this Consent Order.

**JURISDICTION**

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq.

2. The Kempton Group Administrators, Inc. is licensed by the State of Oklahoma as a resident third-party administrator holding license number 862966. Its address of record is 13431 N. Broadway Extension, Suite 130, Oklahoma City, OK 73114.

3. Respondent has been apprised of its rights including the right to a public hearing and has knowingly and freely waived said rights and entered into this Consent Order as a voluntary settlement of the issues and questions raised in the above captioned case.

### **STIPULATIONS OF FACT**

1. On or before June 1 of each year, all licensed administrators shall file an annual report for the previous calendar year. The report shall have been reviewed by a certified public accountant who shall be independent of the administrator. The report shall be subscribed and sworn to by the president and attested to by the secretary or other proper officers substantiating that the information contained in the report is true and factual concerning each of the plans they administer which are governed pursuant to the Third-party Administrator Act. The report shall include the name and address of each fund and a statement of fund equity, paid claims by the covered unit, the accumulated year-to-date paid claims, and the year-to-date reserve status. Failure of any third-party administrator to execute and file the annual reports as required by this section shall constitute cause, after notice and opportunity for hearing, for censure, suspension, or revocation of administrator licensure to transact business in this state, or a civil penalty of not less than One Hundred Dollars (\$100.00) or more than One Thousand Dollars (\$1,000.00) for each occurrence, or both censure, suspension, or revocation and civil penalty. See 36 O.S. § 1452(A).

2. Respondent's Third-Party Administrator Annual Report for the year 2014 was due on or before June 1, 2015. Respondent failed to file its Third-Party Administrator Annual Report for the year 2014 with the Oklahoma Insurance Department (the "Department") as required by 36 O.S. § 1452(A) and has now filed such report with the Department late on February 4, 2016.

### **CONCLUSIONS OF LAW**

1. Respondent is in violation of 36 O.S. § 1452(A) for failing to submit its Third-Party Administrator Annual Report for the year 2014 to the Department on or before June 1, 2015.

**ORDER AND CONSENT**

**IT IS THEREFORE ORDERED** by the Insurance Commissioner and **CONSENTED** to by The Kempton Group Administrators, Inc. that it be fined in the amount of Five Hundred Dollars (\$500.00) for the above described violations of the Oklahoma Insurance Code due and payable to the Oklahoma Insurance Department within thirty (30) days after the date of this Order.

WITNESS My Hand and Official Seal this 24<sup>th</sup> day of February, 2016.



JOHN D. DOAK  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

*James C. Mills*

JAMES MILLS  
CHIEF OF STAFF

APPROVED

*[Signature]*  
DAN R. BYRD  
Assistant General Counsel

*Maria Robles Meyers*  
MARIA ROBLES MEYERS, Esq.  
On Behalf of the Respondent

**CERTIFICATE OF MAILING**

I, Dan R. Byrd, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed via certified mail with return receipt requested, and via regular mail, on this 24<sup>th</sup> day of February, 2016, to:

Maria Robles Meyers, Esq.  
Health Law Advisors, PLLC  
1341 N. Broadway Extension, Suite 130  
Oklahoma City, OK 73114

**CERTIFIED MAIL NO: 7015 0640 0002 7406 9164**

and a copy was delivered to:

DeAnn Robinson/Financial Division



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DAN R. BYRD  
Assistant General Counsel  
3625 NW 56<sup>th</sup> Street, Suite 100  
Oklahoma City, Oklahoma, 73112  
Tel. (405) 522-6330  
Fax (405) 522-0125

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Maria Robles Meyers, Esq.  
 Health Law Advisors, PLLC  
 1341 N. Broadway Extension, Suite 130  
 Oklahoma City, OK 73114  
**16-0087-DIS/DRB(mt)**  
**(Consent Order ~2-24-16)**

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Maria Robles Meyers, Esq.  
 Health Law Advisors, PLLC  
 1341 N. Broadway Extension, Suite 130  
 Oklahoma City, OK 73114  
**16-0087-DIS/DRB(mt)**  
**(Consent Order ~2-24-16)**



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