

**STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,**

v.

BLACKHAWK CLAIMS SERVICE GA, INC.,
A Third Party Administrator,

Respondent.

Case No. 24-0631-DIS

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,
by and through counsel, Tyler P. Trammell, and alleges and states as follows:

1. The Insurance Commissioner of the State of Oklahoma, Glen Mulready, (herein referred to as “Commissioner”), is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 *et seq.*, including the Unfair Claims Settlement Practices Act, 36 O.S. §1250.1 *et seq.* and the Third-Party Administrator Act, 36 O.S. §1441 *et seq.*

2. Blackhawk Claims Service GA, Inc. (“Respondent”), is a licensed foreign Third-Party Administrator, holding SBS Company Number 514990022. Respondent’s mailing address of record is 100 Decker Ct., Ste. 250, Irving, Texas 75062

3. If the Respondent requests a hearing in writing pursuant to OAC 365:1-7-1, the Commissioner, pursuant to 36 O.S. § 319, will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

FINDINGS OF FACT

4. On or about July 29, 2024, the Consumer Assistance Division of the Oklahoma Insurance Department (“OID”) emailed a Request for Assistance to Respondent and requested the Respondent provide a response for OID file number 123378 within twenty (20) days of receipt pursuant to 36 O.S. § 1250.4.

5. On or about July 31, 2024, Respondent responded stating that the attachment to the July 29, 2024 E-mail was not received.

6. On or about August 1, 2024, the OID responded with the attachment to the original July 29, 2024 E-mail.

7. On or about August 19, 2024, a second letter was emailed to the Respondent advising that failure to furnish an adequate response within 20 calendar days constitutes a violation of 36 O.S. § 1250.4.

8. On or about August 20, 2024, Respondent emailed the OID stating that there was an “internal miscommunication during our investigative process”, and that “we are actively working on reviewing and addressing the concerns raised in the... complaint.”

9. On or about August 23, 2024, the OID responded to the Respondent stating that the original due date for an adequate response was August 18, 2024, and that Respondent is now outside of the statutory timeframe to respond.

10. On or about September 3, 2024, counsel for the Respondent emailed the OID seeking a telephonic conference prior to filing their formal response.

11. On or about September 6, 2024, counsel for the Respondent filed a written response to the July 29, 2024, Request for Assistance.

12. Pursuant to 36 O.S. §1450(K),

“Upon receipt of any inquiry from the Insurance Commissioner, a licensed administrator shall furnish the Commissioner with an adequate response to the inquiry within twenty (20) days from receipt of the inquiry.”

13. Pursuant to 36 O.S. §1450(G), after notice and opportunity for hearing, and upon determination that the administrator has violated any of the provisions of the Oklahoma Insurance Code, the Commissioner may subject the administrator to a civil penalty of not more than Five Thousand Dollars (\$5,000.00) for each occurrence.

CONCLUSIONS OF LAW

10. Respondent has violated 36 O.S. §1450(K) by failing to furnish an adequate response to an inquiry letter from the Commissioner within twenty (20) calendar days from the date of the inquiry.

ORDER

IT IS THEREFORE ORDERED that Respondent is hereby **FINED** in the amount of **ONE THOUSAND AND FIVE HUNDRED DOLLARS (\$1500.00)**. The fine shall be paid within 30 days of the date of this Conditional Administrative Order. The fine amount may be paid online at the Department’s Legal Division homepage found at <https://www.oid.ok.gov/about-oid/divisions-programs/legal-division/> or may be sent to the Oklahoma Insurance Department located at 400 NE 50th Street, Oklahoma City, Oklahoma 73105 by check or money order, made payable to the Oklahoma Insurance Department with the case number 24-0631-DIS in the Memo line. Failure to comply with a proper order of the Commissioner will result in further administrative action.


IT IS FURTHER ORDERED, ADJUDGED AND DECREED by the Insurance Commissioner that this Order is a Conditional Order. Unless Respondent requests a hearing with respect to the Findings of Fact set forth above within thirty (30) days of the date of this Conditional

Order, the penalties set forth above will become a Final Order on the 31st day following the date of mailing this Order. A request for hearing should be in writing and addressed to Tyler P. Trammell, Oklahoma Insurance Department, Legal Division, 400 NE 50th Street, Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the thirty (30) days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 324. If Respondent serves a timely request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 17 day of September, 2024.

GLEN MULREADY
INSURANCE COMMISSIONER
STATE OF OKLAHOMA




Tyler P. Trammell, OBA No. 32885
Assistant General Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
(405) 521-6695 (Office)
Tyler.Trammell@oid.ok.gov

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Order* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 19th day of September, 2024, to:

Blackhawk Claims Service Ga, Inc.
100 Decker Ct., Ste. 250
Irving, Tx 75062

CERTIFIED MAIL NO.
9589 0710 5270 2178 8039 92

Blackhawk Claims Service Ga, Inc.
289 S. Culver St.
Lawrenceville, Ga 30046

CERTIFIED MAIL NO.
9589 0710 5270 2178 8040 05

jennifer@stanleykup.com

CERTIFIED MAIL NO.

and a copy was delivered to:

Consumer Assistance Division



Tyler P. Trammell, OBA No. 32885
Assistant General Counsel
Oklahoma Insurance Department
400 N.E. 50th St.
Oklahoma City, OK 73105
(405) 521-6695 (Office)
Tyler.Trammell@oid.ok.gov