

No. 2020-6445

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

Date: 08/21/2020

Subject Considered:

Tonia Sanders dba S & S Training
[REDACTED]
Wylie, TX 75098-6961

Consent Order
TDI Enforcement File No. 22682

General remarks and official action taken:

This is a consent order with Tonia Sanders dba S & S Training (Sanders). The department alleges that Sanders provided an adjuster pre-licensing course after the course certification had expired. Sanders has agreed to pay a \$5,200 administrative penalty for these violations.

Waiver

Sanders acknowledges that the Texas Insurance Code and other applicable law provide certain rights. Sanders 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 Course Provider

1. Sanders was registered as a continuing education and pre-licensing education provider by the department under provider ID number is 35045.

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Administration of Adjuster Pre-Licensing Course after Provider Registration Expiration

2. Pursuant to 28 TEX. ADMIN. CODE § 19.1005(e), provider registrations are valid for two years at which time they expire. Providers must timely renew their registration whether or not a notice of expiration is sent by the department.
3. TEX. INS. CODE § 4005.1009 and 28 TEX. ADMIN. CODE § 19.1016(c)(3) have provided an automatic set fine of \$200 per student, per instance when providers offer expired courses.
4. On May 5, 2019, the provider account 35045 expired and Sanders failed to take note of the expiration and did not renew the provider registration. All courses provided by this provider also expired upon the expiration of the provider account.
5. Course ID 29817 is an adjuster pre-licensing course that attendees complete as an alternative to the state licensing exam.
6. After the provider account for Sanders expired, Sanders offered Course ID 29817 on May 3 and 15; June 19; July 24; and August 2, 7, 14, and 21, 2019, to a total of 86 attendees. These courses were offered together with AAA Unlimited Training which had an active provider registration.
7. Out of the 86 total attendees, Sanders issued 26 certificates and the rest received certificates from AAA Training Unlimited.
8. Sanders has obtained a new provider registration and is currently operating as Platinum Innovation Claims Services under provider number 162543.
9. Sanders has cooperated with the Department in providing documentation regarding the expired courses.

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 4004.101 – 4004.105; 28 TEX. ADMIN. CODE §§ 19.1007, 19.1015, and 19.1016; and TEX. GOV'T CODE §§ 2001.051-2001.178.

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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 §§ 36.104 and 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. Sanders 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. Sanders dba S & S Training violated 28 TEX. ADMIN. CODE § 19.1005(e) by failing to renew its provider registration after the two-year expiration and continuing to provide courses after the expiration.

Order

It is ordered that Tonia Sanders dba S & S Training pay an administrative penalty of \$5,200 within 120 days from the date of this order. The administrative penalty must be paid by cashier's check or money order made payable to the "State of Texas" and transmitted to the Texas Department of Insurance, Attn: Enforcement, Division 60851, MC 9999, P.O. Box 149104, Austin, Texas 78714-9104.

Kent C. Sullivan
Commissioner of Insurance

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

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Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Enforcement Division



Sydney Moore, Staff Attorney
Enforcement Division

Affidavit

STATE OF Texas §

COUNTY OF Polk §

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

"My name is Tonia Sanders. 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 Course Provider, and am the authorized representative of Tonia Sanders dba S & S Training. I am duly authorized by said organization to execute this statement.

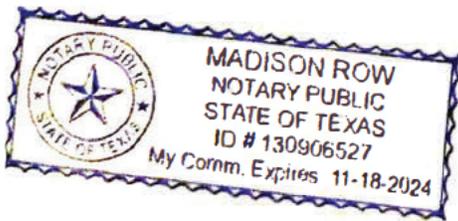
Tonia Sanders dba S & S Training has knowingly and voluntarily entered into the foregoing consent order and agrees with and consents to the issuance and service of the same by the commissioner of insurance of the state of Texas."

Tonia Sanders

Affiant

SWORN TO AND SUBSCRIBED before me on August, 7th, 2020.

(NOTARY SEAL)



Madison Row
Signature of Notary Public

Madison Row
Printed Name of Notary Public