

No. **2025-9165**

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

Date: 3/4/2025

Subject Considered:

Texas Independence Health Plan, Inc
1908 N Laurent St Ste 250
Victoria, TX 77901-5417

Consent Order
TDI Enforcement File No. 35507

General remarks and official action taken:

This is a consent order with Texas Independence Health Plan, Inc (TIHP). TIHP failed to timely file an acquisition statement for a domestic insurer. TIHP has agreed to pay an administrative penalty of \$25,000.

Waiver

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

Findings of Fact

1. TIHP, company identification number 154588, is a domestic insurer which holds a certificate of authority issued by the Texas Department of Insurance (TDI).
2. Pursuant to TEX. INS. CODE § 823.154(a), before a person may acquire control of a domestic insurer or exercise any control over a domestic insurer:

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- 1) The acquiring person shall file an acquisition statement with the commissioner that satisfies the requirements of TEX. INS. CODE Ch. 823 Subchapter E; and
- 2) The acquisition of control must be approved by the commissioner.
3. Pursuant to TEX. INS. CODE § 823.154(c), the acquisition statement must be filed no later than the 60th day before the effective date of the acquisition or change of control.

Organizational Structure:

4. Regency ISNP Holdings, LLC (Regency) is the sole shareholder of TIHP.
5. On January 24, 2022, TIHP filed an incomplete acquisition statement on behalf of several applicants including Donovan Dekowski (Dekowski). On May 6, 2022, TIHP filed an amended and restated acquisition statement. Included in the amended acquisition statement was an Affidavit of Majority Owners and Voting Interest in Regency and an Amended Operating Agreement of Regency.
6. On January 24, 2023, at the request of TDI, TIHP withdrew its incomplete acquisition statement with a comment that a new complete acquisition statement would be filed.
7. On March 28, 2023, TIHP filed a second acquisition statement and informed TDI that Dekowski had acquired control pursuant to terms of the previously filed Amended Operating Agreement.
8. According to the Amended Operating Agreement, Dekowski acquired control of TIHP on September 16, 2022. Additionally, TIHP confirmed that Dekowski acquired control in September of 2022.
9. TIHP should have filed a complete acquisition statement by July 18, 2022, which is 60 days before Dekowski took control.
10. TIHP's complete acquisition statement was filed 253 days late.
11. Dekowski acquired control over TIHP without receiving the commissioner's approval.

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12. TDI approved Dekowski's acquisition statement on October 11, 2024.

Conclusions of Law

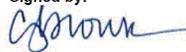
1. The commissioner has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 84.021–84.044, 801.052, 823.154, and 823.165.
2. The commissioner has the authority to informally dispose of this matter as set forth in TEX. GOV'T CODE § 2001.056, and TEX. INS. CODE §§ 36.104 and 82.055.
3. TIHP 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. TIHP violated TEX. INS. CODE § 823.154(a) and (c) by failing to timely file a statement of acquisition with the commissioner.
5. TIHP violated TEX. INS. CODE § 823.154(a) because Dekowski acquired control of TIHP prior to the commissioner's approval.

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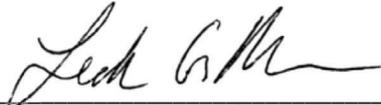
Order

It is ordered that Texas Independence Health Plan, Inc pay an administrative penalty of \$25,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which TDI will send after entry of this order.

Signed by:

FC5D7EDDFB4F8...

Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Erik Huhn, Staff Attorney
Enforcement

Affidavit

STATE OF TEXAS §
§
COUNTY OF VICTORIA §

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

"My name is Donovan Dekowski. 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 Chairman of the Board and am the authorized representative of Texas Independence Health Plan, Inc. I am duly authorized by said organization to execute this statement.

Texas Independence Health Plan, Inc 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."

[Handwritten Signature]

Affiant

SWORN TO AND SUBSCRIBED before me on February 5th, 2025.

(NOTARY SEAL)



Donna Gail Conti
Signature of Notary Public

Donna Gail Conti
Printed Name of Notary Public