

No. **2025-9186**

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

Date: 03/07/2025

Subject Considered:

Makina HR, LLC
8920 Business Park Dr. Ste 250
Austin, Texas 78759-7622

Default Order
TDI Enforcement File No. 36047

General Remarks and Official Action Taken:

This is a default order taken against Makina HR, LLC (Respondent) because it failed to comply with requirements to maintain its third-party administrator (TPA) certificate of authority. Respondent did not respond to a Notice of Allegations mailed by the Texas Department of Insurance. This order revokes Respondent's certificate of authority.

The following findings of fact and conclusions of law are adopted.

Findings of Fact

Failure to Respond to Notice of Allegations

1. On December 12, 2024, the department sent a Notice of Allegations, attached as Exhibit A, to Respondent.
2. The department sent the Notice of Allegations to Respondent's last known address provided in writing to the department, 8920 Business Park Dr. Ste 250 Austin, Texas 78759-7622.
3. Respondent received and waived an opportunity for a hearing because Respondent failed to send the department a written response to the Notice of Allegations within 20 days after the date the Notice of Allegations was mailed.

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4. The department's factual allegations set out in the attached Notice of Allegations are incorporated in this order as findings of fact.

Conclusions of Law

1. The commissioner has jurisdiction under Texas law, including TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301–4151.309; TEX. GOV'T CODE §§ 2001.051–2001.178, 2001.003(1); and 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.
2. The commissioner has authority to dispose of this case informally under TEX. GOV'T CODE § 2001.056; TEX. INS. CODE § 82.055; and 28 TEX. ADMIN. CODE § 1.47.
3. The department provided proper notice to Respondent under TEX. GOV'T CODE §§ 2001.003(1), 2001.051, 2001.052, 2001.054, and 2001.056(4), and 28 TEX. ADMIN. CODE §§ 1.28 and 1.47.
4. Based on Respondent's failure to send the department a written response to the Notice of Allegations, the department is entitled to disposition by default under 28 TEX. ADMIN. CODE § 1.47.
5. Respondent failed to show compliance with the law.
6. The department's factual and legal allegations set out in the attached Notice of Allegations are incorporated in this order and deemed admitted as true under 28 TEX. ADMIN. CODE § 1.47.

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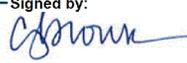
Makina HR, LLC

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Order

It is ordered that the third-party administrator certificate of authority held by Makina HR, LLC is revoked.

It is also ordered that Makina HR, LLC cease and desist engaging in the business of a third-party administrator in Texas.

Signed by:

FC5D7EDDFFB4F8...

Cassie Brown

Commissioner of Insurance

Prepared and reviewed by:



Victor Moya III, Staff Attorney
Enforcement

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Commissioner's Order

Makina HR, LLC

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Affidavit

STATE OF TEXAS §

§

COUNTY OF TRAVIS §

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

"My name is Roxanne Rodriguez and I am employed by the Texas Department of Insurance. I am of sound mind, capable of making this affidavit, and have personal knowledge of these facts which are true and correct.

I have reviewed TDI's records concerning Makina HR, LLC. I have confirmed that:

- a. The last mailing address provided to the department in writing by Makina HR, LLC is 8920 Business Park Dr. Ste 250 Austin, Texas 78759-7622.
- b. The file maintained by Enforcement contains a Notice of Allegations dated December 12, 2024, which was sent to Makina HR, LLC.
- c. On December 12, 2024, the Notice of Allegations addressed to Makina HR, LLC was mailed first-class and certified, return receipt requested, to its last known address.

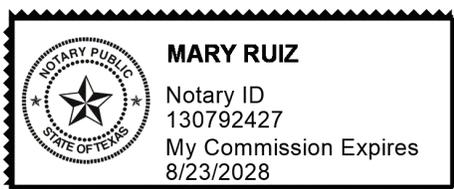
Copies of the first-class mail log and certified mail log maintained by Enforcement are attached as Exhibit B and Exhibit C, respectively.

Signed by:

A68A24A582574EB...
ATTIANT

SWORN TO AND SUBSCRIBED before me by means of an interactive two-way audio and video communication on 2/12/2025. This notarial act was an online notarization.

Notary Seal



Digital Certificate

Signed by:

795DC4D59167489...
Notary Public State of Texas

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PO Box 12030 | Austin, TX 78711 | 800-578-4677 | tdi.texas.gov

December 12, 2024

Makina HR, LLC
8920 Business Park Dr. Ste 250
Austin, TX 78759-7622

Via CM/RRR No. 9214 8901 9403 8391 3455 84
Via Email: jarzate@makinabenefits.com
Via First Class Mail

**TDI ENFORCEMENT CASE NO. 36047
NOTICE OF ALLEGATIONS AGAINST MAKINA HR, LLC**

The Texas Department of Insurance (TDI) seeks to take disciplinary action against Makina HR, LLC to revoke its certificate of authority to act as a third party administrator. This Notice states the allegations against Makina HR, LLC and the relief sought by TDI.

YOUR WRITTEN RESPONSE IS REQUIRED WITHIN 20 DAYS

YOU HAVE THE RIGHT TO A HEARING AND ARE INVITED TO SHOW COMPLIANCE WITH THE LAW. To request a hearing, you must send a written response to TDI within 20 days of the date this Notice was mailed.

If you fail to send a written response by the deadline, *you waive your right to a hearing*, and TDI may seek disposition by default under 28 TEX. ADMIN. CODE § 1.47, TEX. INS. CODE § 82.055, and TEX. GOV'T. CODE § 2001.056.

If you fail to send a written response by the deadline, without further notice to you, the commissioner of insurance may issue a default order that admits the factual matters asserted, deems all allegations as true, and orders the relief recommended in this Notice.

You must send your written response by mail, fax, or email to:

Victor Moya III, Staff Attorney
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030
Austin, Texas 78711-2030
(512) 490-1020 (Fax)
Victor.Moya@tdi.texas.gov



Jurisdiction

The commissioner of insurance has jurisdiction over this matter under TEX. INS. CODE §§ 82.051–82.055, 4151.051, 4151.056, 4151.205, 4151.206, 4151.212, 4151.301–4151.309; TEX. GOV'T CODE §§ 2001.051–2001.178; 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609; and TEX. GOV'T CODE § 2001.003(1).

Factual Allegations

1. On June 12, 2019, TDI issued Makina HR, LLC third party administrator (TPA) certificate of authority no. 2989294.
2. Texas law states that TPA certificates of authority are effective until suspended, canceled, or revoked.
3. TPAs must file annual reports by June 30th of each year covering the preceding calendar year. The report must include an audited financial statement performed by an independent certified public accountant.
4. TPAs must pay a non-refundable \$200 filing fee for each annual report.
5. A TPA is subject to discipline, including revocation of its certificate of authority, if it fails to timely file its annual report.
6. Makina HR, LLC failed to file its annual reports and pay the associated \$200 filing fees for calendar years 2022–2023.
7. On May 16, 2018, Makina HR, LLC filed an application for registration as a Limited Liability Company with the Texas Secretary of State.
8. On February 23, 2024, the Texas Secretary of State forfeited the registration of Makina HR, LLC.

Legal Allegations

1. Makina HR, LLC failed to timely file annual TPA reports by June 30th on a form prescribed by the commissioner, in violation of TEX. INS. CODE §§ 4151.205 and 4151.301(14), and 28 TEX. ADMIN. CODE § 7.1609.

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Notice of Allegations

Makina HR, LLC

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2. Makina HR, LLC failed to pay the annual \$200 TPA filing fee in violation of TEX. INS. CODE § 4151.206(a)(3) and 28 TEX. ADMIN. CODE § 7.1609(a).
3. Makina HR, LLC failed to maintain at all times the qualifications for a certificate of authority, as required by TEX. INS. CODE § 4151.212 and 28 TEX. ADMIN. CODE § 7.1607(e).
4. Makina HR, LLC has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
5. Makina HR, LLC has willfully violated a commissioner rule, as contemplated by TEX. INS. CODE § 4151.301(10).

Relief Sought

TDI seeks the following relief:

1. revocation of your TPA certificate of authority;
2. an order mandating you cease and desist from engaging in the acts of a TPA in Texas; and
3. imposition of any other just and appropriate relief to which the department may be entitled to by law, including any combination of the above actions.

Respectfully,



Victor Moya III
State Bar No. 24104330
Texas Department of Insurance
Enforcement, MC ENF
P.O. Box 12030

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Notice of Allegations

Makina HR, LLC

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Austin, Texas 78711-2030

(512) 676-6332 (Direct)

(512) 490-1020 (Fax)

Victor.Moya@tdi.texas.gov

cc: Leah Gillum, Deputy Commissioner, Fraud and Enforcement Division, MC: ENF
Ginger Loeffler, Litigation Director, Enforcement, MC: ENF

CERTIFICATE OF SERVICE

I, Victor Moya III, certify that a true and correct copy of this *Notice of Allegations Against Makina HR, LLC* was sent by the following methods on this 12th day of December, 2024 to:

Makina HR, LLC
8920 Business Oark Dr. Ste 250
Austin, TX 78759-7622

Via CM/RRR No.: 9214 8901 9403 8391 3455 84
Via First Class Mail
Via Email: jarzate@makinabenefits.com



Victor Moya III

Name and Address of Sender
 Texas Dept of Insurance
 Mail Code ENF
 1601 Congress Avenue, Suite 6.900
 Austin TX 78701
 Mary Ruiz, December 12, 2024

Check type of mail or service

<input type="checkbox"/> Adult Signature Required	<input type="checkbox"/> Priority Mail Express
<input type="checkbox"/> Adult Signature Restricted Delivery	<input type="checkbox"/> Registered Mail
<input type="checkbox"/> Certified Mail	<input type="checkbox"/> Return Receipt for Merchandise
<input type="checkbox"/> Certified Mail Restricted Delivery	<input type="checkbox"/> Signature Confirmation
<input type="checkbox"/> Collect on Delivery (COD)	<input type="checkbox"/> Signature Confirmation Restricted Delivery
<input type="checkbox"/> Insured Mail	
<input type="checkbox"/> Priority Mail	
<input checked="" type="checkbox"/> First-Class Mail	

Address (Name, Street, City, State, & Zip Code)
 Makina HR, LLC
 8920 Business Oak Dr. Ste 250
 Austin, TX 78759-7622

MOVA/36047

USPS Tracking/Article Number

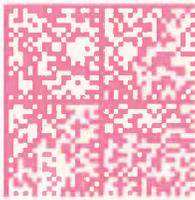
Postage

Affix Stamp Here
 (If issued as an international certificate of mailing or for additional copies of this receipt), Postmark with Date of Receipt

value

Handling Charge-if Registered

- Adult Signature Required
- Adult Signature Restricted
- Restricted Delivery
- Return Receipt
- Signature Confirmation
- Signature Confirmation Restr
- Special Hand



quafient
 CORRECTION
 IMI
\$002.00⁰
 12/12/2024 ZIP 78701
 043M32206995

US POSTAGE

EXHIBIT
 Exhibit B



2025-9186

Total Number of Pieces
 Total Number of Pieces Received at Post Office

Postmaster: *(Signature)*
 Complete in Ink

2025-9186

Shipment Confirmation Acceptance Notice



A. Mailer Action

Note to Mailer: The labels and volume associated to this form online, **must** match the labeled packages being presented to the USPS® employee with this form.

Shipment Date: 12/12/2024

Shipped From:

Name: ENF M RUIZ

Address: 1601 CONGRESS AVENUE

City: AUSTIN

State: TX ZIP+4® 78701

Type of Mail	Volume
Priority Mail Express®	
Priority Mail®	
First-Class Package Service®	
Returns	
International*	
Other	1
Total	1

*Start time for products with service guarantees will begin when mail arrives at the local Post Office™ and items receive individual processing and acceptance scans.

B. USPS Action

- Note to RSS Clerk:**
- Home screen > Mailing/Shipping > More
 - Select Shipment Confirm
 - Scan or enter the barcode/label number from PS Form 5630
 - Confirm the volume count message by selecting Yes or No
 - Select Pay and End Visit to complete transaction

USPS EMPLOYEE: Please scan upon pickup or receipt of mail.
Leave form with customer or in customer's mail receptacle.



USPS SCAN AT ACCEPTANCE



9275 0901 1935 6200 0057 6436 24

MOYA/36047

EXHIBIT

Exhibit C





Firm Mailing Book For Accountable Mail

Name and Address of Sender
 ENF M RUIZ
 1601 CONGRESS AVENUE
 STE 6.900
 AUSTIN TX 78701

- Check type of mail or service
- Adult Signature Required
 - Adult Signature Restricted Delivery
 - Certified Mail
 - Certified Mail Restricted Delivery
 - Collect on Delivery (COD)
 - Insured Mail
 - Priority Mail
 - Priority Mail Express
 - Registered Mail
 - Return Receipt for Merchandise
 - Signature Confirmation
 - Signature Confirmation Restricted Delivery

Affix Stamp Here
 (for additional copies of this receipt).
 Postmark with Date of Receipt.

USPS Tracking/Article Number

1. 9214 8901 9403 8391 3455 84

MOYA/36047

Addresssee (Name, Street, City, State, & ZIP Code™)
 MAKINA HR, LLC
 8920 BUSINESS PARK DR, STE 250
 AUSTIN, TX 78759-7622

Postage	(Extra Service) Fee	Handling Charge	Actual Value if Registered	Insured Value	Due Sender if COD	ASR Fee	ASRD Fee	RD Fee	RR Fee	SC Fee	SCRD Fee	SH Fee
0.69	4.85								2.62			



Handling Charge - if Registered and over \$50,000 in value

Adult Signature Required

Adult Signature Restricted Delivery

Restricted Delivery

Return Receipt

Signature Confirmation

Signature Confirmation Restricted Delivery

Special Handling

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Total Number of Pieces Listed by Sender: 1

Total Number of Pieces Received at Post Office: 1

Postmaster, Per (Name of receiving employee):

PS Form 3877, January 2017 (Page 1 of 1)

Complete in Ink

Privacy Notice: For more information on USPS privacy policies, visit usps.com/privacypolicy.

PSN 7530-02-000-9098 JobId: 5515530