

No. **2025-9464**

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

Date: 8/11/2025

Subject Considered:

MaxCare, LLC
PO Box 16430
Oklahoma City, OK 73113-2430

Consent Order
TDI Enforcement File No. 36052

General remarks and official action taken:

This is a consent order with MaxCare, LLC (MaxCare) because it failed to comply with requirements to maintain its third party administrator (TPA) certificate of authority. MaxCare has agreed to pay an administrative penalty of \$4,000.

Waiver

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

Findings of Fact

1. On June 17, 2017, TDI issued MaxCare a third party administrator (TPA) certificate of authority no. 2989288.
2. Texas law states that TPA certificates of authority are effective until suspended, canceled, or revoked.

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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. MaxCare failed to timely file its annual reports and pay the associated \$200 filing fees for calendar years 2022-2023.
7. MaxCare filed its delinquent annual reports and paid the associated filing fees in December 2024.
8. MaxCare represents it has implemented new processes and procedures to prevent future noncompliance.

Conclusions of Law

1. 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 §§ 2001.003(1), 2001.051-2001.178; and, 28 TEX. ADMIN. CODE §§ 7.1601, 7.1603, and 7.1609.
2. The commissioner has authority to informally dispose of this matter as set forth under TEX. GOV'T CODE § 2001.056 and TEX. INS. CODE §§ 82.055 and 36.104.
3. MaxCare 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. MaxCare 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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5. MaxCare failed to timely 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).
6. MaxCare has willfully violated an insurance law of this state, as contemplated by TEX. INS. CODE § 4151.301(1).
7. MaxCare has willfully violated a commissioner rule, as contemplated by TEX. INS. CODE § 4151.301(10).

Order

It is ordered that MaxCare pay an administrative penalty of \$4,000 within 30 days from the date of this order. The administrative penalty must be paid as instructed in the invoice, which the department will send after entry of this order.

Signed by:

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Cassie Brown
Commissioner of Insurance

Recommended and reviewed by:



Leah Gillum, Deputy Commissioner
Fraud and Enforcement Division



Mandy Meesey, Associate Commissioner
Enforcement

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Affidavit

STATE OF Oklahoma §
§
COUNTY OF Oklahoma §

Before me, the undersigned authority, personally appeared J.J. Peek,
who being by me duly sworn, deposed as follows:

"My name is J.J. Peek. 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 Vice President and am the authorized representative of
MaxCare, LLC. I am duly authorized by said organization to execute this statement.

MaxCare, LLC 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."

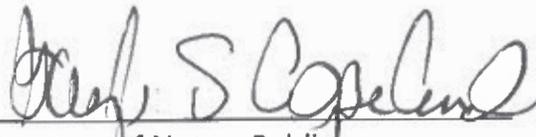


Affiant

SWORN TO AND SUBSCRIBED before me on July 22nd, 2025.

(NOTARY SEAL)





Signature of Notary Public
Gayla S Copeland
Printed Name of Notary Public