

BEFORE THE DIVISION OF INSURANCE
DEPARTMENT OF LABOR AND REGULATION
STATE OF SOUTH DAKOTA

IN THE MATTER OF)
HAWAII MAINLAND ADMINISTRATORS, LLC) CONSENT ORDER

In resolution of the above titled matter and in lieu of administrative action concerning compliance with the insurance laws of the State of South Dakota, the undersigned parties do hereby agree to the following:

HAWAII MAINLAND ADMINISTRATORS, LLC., ("HAWAII MAINLAND") whose address of record is 1600 W. Broadway St., Suite 300, Tempe, AZ 85282 is an entity licensed as a TPA in the State of South Dakota;

HAWAII MAINLAND is aware that the South Dakota Division of Insurance ("Division") has conducted an investigation regarding their activity in this state;

The Division alleges the following with regard to HAWAII MAINLAND:

- 1) HAWAII MAINLAND failed to maintain and make available to the insurer complete books and records of all transactions performed on behalf of the insurer, in violation of SDCL 58-29D-8;
- 2) HAWAII MAINLAND failed to notify the Division of a material change in its ownership, control, or other fact or circumstance affecting its qualification for a license in this state, in violation SDCL § 58-29D-28;
- 3) The above stated actions also violate SDCL §§ 58-30-167,(2) & (8);
- 4) Pursuant to SDCL § 58-29D-31(4), the Director of the Division may suspend or revoke HAWAII MAINLAND's TPA registration for any of the above-cited reasons.

HAWAII MAINLAND is aware of and understands the nature of the allegations and has been informed that it has the right to a Notice of Hearing, counsel and appeal and that by agreeing to sign this Consent Order, and it affirmatively waives these rights;

In return for HAWAII MAINLAND agreeing to and complying with the provisions of this Consent Order, the Division agrees not to suspend or revoke HAWAII MAINLAND's TPA registration and agrees that this Consent Order will constitute an informal disposition of this licensing matter pursuant to SDCL § 1-26-20;

By the execution of this Consent Order and the payment of a penalty pursuant to this Consent Order, HAWAII MAINLAND waives its right to contest the allegations contained in this Consent Order in any future actions or licensing procedures with the Division;

HAWAII MAINLAND agrees to pay \$2,500 pursuant to SDCL §§ 58-29D-31, 58-29D-33 and 58-4-28.1, in lieu of a Final Order and further agrees to conduct itself in accordance with the insurance laws and regulations of the State of South Dakota;

HAWAII MAINLAND further agrees that this Consent Order may be considered for the purpose of determining the appropriate sanction in any future actions with the Division for any violations of the laws or regulations of the State of South Dakota or for failing to abide by any order of the Director;

Wherefore, good cause appearing from the foregoing, it is hereby ORDERED that HAWAII MAINLAND pay a monetary penalty in the amount of \$2,500 payable to "South Dakota Division of Insurance" to be submitted with this completed Consent Order for deposit in the general fund of the State of South Dakota; and it is further

ORDERED that HAWAII MAINLAND abide by the agreements made by it in this Consent Order; and it is further

ORDERED that the use of this Consent Order for competitive purposes by an insurance agent or third-party administrator holding a license in the State of South Dakota, or by any company holding a Certificate of Authority, or by anyone on their behalf, may be deemed unfair competition and be grounds for suspension or revocation of said license or authority; and it is further

ORDERED that the provisions of this Consent Order shall be effective from the date the Director signs this Order.

Dated at Pierre, South Dakota this 27th day of July, 2020.



Larry Deiter, Director
South Dakota Division of Insurance

The undersigned, on behalf of HAWAII MAINLAND, represents it understands the terms of this Consent Order and the waiver of its due process rights and voluntarily enter into this Consent Order.

Dated this 9th day of June, 2020.



Signature of Authorized Representative

Echo Williams

Printed Name

Licensing & Compliance Coordinator

Title