

STATE OF NORTH DAKOTA  
BEFORE THE INSURANCE COMMISSIONER

In the Matter of	)	
	)	
The Certificate of Authority of	)	TEMPORARY ORDER
Capson Physicians Insurance	)	SUSPENDING
Company,	)	CERTIFICATE OF AUTHORITY
FEIN 74-6017951,	)	
	)	
Respondent.	)	

N.D.C.C. § 26.1-01-03(1) requires the Commissioner of Insurance for the State of North Dakota to see that all the laws of the state respecting insurance companies and benevolent societies are executed faithfully.

Capson Physicians Insurance Company ("Respondent") is an admitted foreign insurance company doing business in the State of North Dakota pursuant to N.D.C.C. Chapter 26.1-11 and is domiciled in the State of Texas.

N.D.C.C. § 26.1-11-08 requires the Commissioner to revoke or suspend all Certificates of Authority granted to a foreign insurance company, or to its agents, if upon examination or receipt of other evidence, the Commissioner is of the opinion that the company is in an unsound condition or that the company has failed to comply with any provision of the applicable laws of this state.

N.D.C.C. § 26.1-11-09 permits the Commissioner of Insurance to issue a Temporary Order Suspending the Certificate of Authority granted to a foreign insurance company if the Commissioner deems it necessary or appropriate in the public interest to do so.

February 11, 2019, Capson Physicians Insurance Company (Respondent) was placed in rehabilitation by the Agreed Order Appointing Rehabilitator, Permanent Injunction

and Notice of Automatic Stay by the State of Texas in Cause No D-1GN-19-000723 in the 250<sup>th</sup> Judicial District Court of Travis County, TX based on the Company not having minimum surplus requirements under Texas Ins. Code §822.054(a) and that Respondent has been deemed impaired under Texas insurance code §443.004(a)(12).

Based on the foregoing information, the Insurance Commissioner of the State of North Dakota is of the opinion that the Respondent is in an unsound condition.

NOW, THEREFORE, IT IS HEREBY ORDERED THAT:

1. The Certificate of Authority of Respondent authorizing it to transact the business of insurance in the State of North Dakota is **TEMPORARILY SUSPENDED** until further Order of the Commissioner; and

2. During the period of suspension, Respondent, its agents, brokers, and representatives shall immediately cease and desist from the placement of any new business of insurance in the State of North Dakota; Respondent shall continue to make all filings and pay all fees and taxes as is required by the laws of the State of North Dakota; and Respondent, its agents, brokers, and representatives shall continue to service and accept renewal premiums under the limitations imposed by the Pennsylvania Insurance Department.

This Order is effective and dated this 30<sup>th</sup> day of April, 2019.

  
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Jon Godfread  
Commissioner  
N.D. Insurance Department  
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