

FILED

MAY 19 2025

Department of Insurance
State of Idaho

BEFORE THE DIRECTOR OF THE DEPARTMENT OF INSURANCE

STATE OF IDAHO

In the Matter of:

CAPSON PHYSICIANS INSURANCE
COMPANY

Certificate of Authority No. 2901
NAIC ID No. 19348

Docket No. 18-4709-25

**ORDER CONTINUING
SUSPENSION OF CERTIFICATE OF
AUTHORITY**

CAPSON PHYSICIANS INSURANCE COMPANY (the “Company”) is a Texas-domiciled insurer licensed to transact casualty insurance, excluding workers’ compensation, in Idaho under Certificate of Authority No. 2901. By orders issued September 17, 2019, August 5, 2020, June 24, 2021, May 16, 2022, May 8, 2023, and June 12, 2024, the Director of the Idaho Department of Insurance (“Director”) suspended the Company’s Idaho Certificate of Authority. With this Order, the Director continues the suspension as discussed below.

On June 28, 2019, the District Court of Travis County, Texas, in Case No. D-1-GN-19-00723, entered an *Order Appointing Liquidator and Permanent Injunction* placing the Company into liquidation and appointing the Texas Commissioner of Insurance (“Commissioner”) as statutory Liquidator. The Commissioner appointed Cantilo & Bennett, LLP to act as Special Deputy Receiver to the Company. The Company remains in receivership.

Idaho Code § 41-327(3) states the Director may, without advance notice or hearing, “immediately suspend the certificate of authority of any insurer as to which proceedings for

receivership, conservatorship, rehabilitation, or other delinquency proceedings have been commenced in any state by the public insurance supervisory official of such state.”

The Director, having reviewed the foregoing and the requirements of Idaho Code § 41-327(3), hereby finds that CAPSON PHYSICIANS INSURANCE COMPANY is subject to delinquency proceedings within the meaning of Idaho Code § 41-327(3). Based on these findings, and good cause appearing:

NOW, THEREFORE, IT IS HEREBY ORDERED, pursuant to Idaho Code § 41-327(3) that Certificate of Authority No. 2901 issued to CAPSON PHYSICIANS INSURANCE COMPANY is CONTINUED IN SUSPENSION, effective immediately, for a period of one (1) year from the date of this order. The Director may terminate the suspension sooner if the cause for said suspension is corrected and the Company is otherwise in compliance with Title 41, Idaho Code.

IT IS FURTHER ORDERED that CAPSON PHYSICIANS INSURANCE COMPANY will comply with Idaho Code § 41-329, including § 41-329(2), which state: “During the suspension period the insurer shall not solicit or write any new business in this state, but shall file its annual statement, pay fees, licenses, and taxes as required under this code, and may service its business already inforce in this state, as if the certificate of authority had continued in force.”

IT IS FURTHER ORDERED, pursuant to Idaho Code § 41-330(1), that, within four (4) days after notice of this suspension is provided, CAPSON PHYSICIANS INSURANCE COMPANY will notify, by any available means, every person authorized to write business in the state of Idaho by said insurance company, to immediately cease to write any further business for the Company in Idaho.

IT IS FURTHER ORDERED that, within sixty (60) days of the date of this order, CAPSON

PHYSICIANS INSURANCE COMPANY will file with the Director a complete listing of its policies owned by or issued to residents of Idaho.

IT IS FURTHER ORDERED that such list will include the name and address of each policyholder and insured, policy type, face amount, and cash surrender value of the policy, as applicable.

DATED this 19 day of May 2025.

STATE OF IDAHO
DEPARTMENT OF INSURANCE



DEAN L. CAMERON
Director

NOTIFICATION OF RIGHTS

This is a final order of the agency. Any party may file a motion for reconsideration of this final order within fourteen (14) days of the service date of this order. The agency will dispose of the motion for reconsideration within twenty-one (21) days of its receipt, or the motion will be considered denied by operation of law. See Idaho Code § 67-5246(4).

Any such motion for reconsideration shall be served on the Director of the Idaho Department of Insurance, addressed as follows:

Dean L. Cameron, Director
Idaho Department of Insurance
700 W. State Street, 3rd Floor
P.O. Box 83720
Boise, ID 83720-0043

Pursuant to Idaho Code §§ 67-5270 and 67-5272, any party aggrieved by this final order or orders previously issued in this case may file a petition for judicial review in the district court of the county in which:


- i. A hearing was held;
- ii. The final agency action was taken;
- iii. The party seeking review of the order resides, or operates its principal place of business in Idaho; or
- iv. The real property or personal property that was the subject of the agency action is located.

A petition for judicial review must be filed within twenty-eight (28) days of: (a) the service date of this final order, (b) the service of an order denying motion for reconsideration, or (c) the failure within twenty-one (21) days to grant or deny a motion for reconsideration, whichever is later. See Idaho Code § 67-5273. The filing of a petition for judicial review does not itself stay the effectiveness or enforcement of the order under appeal. Idaho Code § 67-5274.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that, on this 19th day of May 2025, I caused a true and correct copy of the foregoing ORDER CONTINUING SUSPENSION OF CERTIFICATE OF AUTHORITY to be served upon the following parties by the method(s) identified below:

CAPSON PHYSICIANS INSURANCE CO. 2901 Via Fortuna Dr Austin, TX 78746	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email:
TEXAS DEPARTMENT OF INSURANCE Cassie Brown, Commissioner PO Box 12030 Austin, TX 78711-2030	<input checked="" type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input type="checkbox"/> Email:
CANTILO & BENNETT, LLP Joseph West, Special Deputy Receiver 11401 Century Oaks Terrace, Ste 300 Austin, TX 78758	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: jnwest@cb-firm.com
IDAHO GUARANTY ASSOCIATION Chad Anderson, President Western Guaranty Fund Services	<input type="checkbox"/> First Class Mail <input type="checkbox"/> Certified Mail <input type="checkbox"/> Hand Delivery <input type="checkbox"/> Facsimile <input checked="" type="checkbox"/> Email: canderson@wgfs.org



Jan Noriyuki
Paralegal