

**STATE OF WASHINGTON  
OFFICE OF THE INSURANCE COMMISSIONER**

*In the Matter of*

**DATA PARTNERSHIP GROUP, LP,**

Respondent.

Order No. 21-0102

FEIN 83-2246117

**ORDER TO CEASE AND DESIST  
AND IMPOSING A FINE**

Pursuant to RCW 48.02.080(3)(a) and RCW 48.15.023(5)(a), the Insurance Commissioner of the state of Washington (“Insurance Commissioner”) orders the above-named Respondent, and its officers, directors, trustees, employees, agents, and affiliates to immediately cease and desist from:

- A. Engaging in or transacting the unauthorized business of insurance in the state of Washington;
- B. Seeking, pursuing, and obtaining any insurance business in the state of Washington;
- C. Soliciting Washington residents to purchase any insurance to be issued by an unauthorized insurer; and
- D. Soliciting Washington residents to induce them to purchase any insurance contract.

**BASIS:**

1. Data Partnership Group, LP (“DPG”), was formed in Georgia on September 28, 2018, by Jonathan Crumly. It is principally located in Georgia. It is not authorized to provide insurance in Washington State.

2. A previous investigation into American Workers Insurance Services (“AWIS”), revealed that it sold HSP3, HSP6, and HSP9 healthcare plans, “sponsored” by DPG. There is no mention of data mining in these brochures. These brochures state that these plans are not available in Washington.

3. After OIC contacted DPG, DPG asserted that DPG established and sponsors a single-employer self-insured group health plan which is an “employee welfare benefit plan” as

defined by the Employee Retirement Income Security Act (“ERISA”). It stated that its “primary business purpose is the generation, organization, aggregation, and sale to third-parties of electronic data. This electronic data is generated by limited partners who transmit such electronic data to DPG via proprietary software and applications for mobile devices installed on the limited partners’ computers, smart phones, tablets and other electronic devices.” DPG explained that “participants in the Plan are the common law employee of DPG as well as eligible limited partners.” It identified itself as the sponsor of the following plans: CAT 50, HSP3, HSP6, HSP9, MEC HP, MEC HP3, and MEC. DPG stated that it had 16 participants in Washington State.

4. The agreement, between the enrollee and DPG, states that DPG is a non-profit entity and that the enrollee had a one millionth percent interest in the limited partnership, and that the enrollee is not entitled to distributions of any kind. The enrollee is joining DPG “to participate in its mission and nonprofit work.” There is no mention of data mining in this agreement.

5. RCW 48.02.080(3)(a) provides if the Insurance Commissioner has cause to believe that any person is violating or is about to violate any provision of this code or any regulation or order of the Insurance Commissioner, he or she may issue a cease and desist order.

6. RCW 48.05.030 provides no person shall act as an insurer and no insurer shall transact insurance in this state other than as authorized by a certificate of authority issued to it by the Insurance Commissioner and then in force; except, as to such transactions as are expressly otherwise provided for in this code.

7. RCW 48.15.020(1) provides an insurer that is not authorized by the Insurance Commissioner may not solicit insurance business in this state or transact insurance business in this state, except as provided in this chapter.

8. RCW 48.15.020(2) provides that a person may not, in this state, represent an unauthorized insurer except as provided in this chapter.

9. RCW 48.15.023(5)(a) provides if the Insurance Commissioner has cause to believe that any person has violated the provisions of RCW 48.15.020(1), the Insurance Commissioner may issue and enforce a cease and desist order in accordance with the provisions of RCW 48.02.080; and/or assess a civil penalty of not more than twenty-five thousand dollars for each violation, after providing notice and an opportunity for a hearing in accordance with chapters 34.05 and 48.04 RCW.

10. RCW 48.42.010(1) provides notwithstanding any other provision of law, and except as provided in this chapter, any person or other entity which provides coverage in this state for life insurance, annuities, loss of time, medical, surgical, chiropractic, physical therapy, speech pathology, audiology, professional mental health, dental, hospital, or optometric expenses, whether the coverage is by direct payment, reimbursement, the providing of services, or otherwise, shall be subject to the authority of the state Insurance Commissioner, unless the person or other entity shows that while providing the services it is subject to the jurisdiction and regulation of another agency of this state, any subdivisions thereof, or the federal government.

11. RCW 48.42.020(1) provides a person or entity may show that it is subject to the jurisdiction and regulation of another agency of this state, any subdivision thereof, or the federal government, by providing to the Insurance Commissioner the appropriate certificate, license, or other document issued by the other governmental agency which permits or qualifies it to provide the coverage as defined in RCW 48.42.010.

12. RCW 48.42.030 provides any person or entity which is unable to show under RCW 48.42.020 that it is subject to the jurisdiction and regulation of another agency of this state, any subdivision thereof, or the federal government, shall submit to an examination by the Insurance Commissioner to determine the organization and solvency of the person or the entity, and to determine whether or not such person or entity complies with the applicable provisions of this title.

13. RCW 48.42.040 provides any person or entity unable to show that it is subject to the jurisdiction and regulation of another agency of this state, any subdivision thereof, or the federal government, shall be subject to all appropriate provisions of this title regarding the conduct of its business including, but not limited to, RCW 48.43.300 through 48.43.370.

14. The Respondent's actions described herein violate Insurance Code provisions that include RCW 48.05.030(1) [Certificate of Authority required], RCW 48.15.020(1) [solicitation by insurer not authorized prohibited].

### **ORDER IMPOSING A FINE**

In accordance with RCW 48.15.023(5)(a) and based upon the above Order Basis, the Insurance Commissioner orders that Respondents must pay a fine in the amount of Twenty Five Thousand Dollars (\$25,000.00), for violating the Washington insurance laws as described above.

The fine must be paid within 30 days of the date this order becomes final. This order becomes final if no hearing is demanded within 90 days of receipt of this Order, as set forth below. In the alternative, this Order becomes final if a final order upholding the fine is issued after hearing.

**NOTICE OF OPPORTUNITY FOR HEARING**

Respondents have the right to demand a hearing in accordance with RCW 48.04.010, WAC 284-02-070, and WAC 10-08-110. Respondents have 90 days from the receipt of this Order to demand a hearing. **If the Insurance Commissioner does not receive a hearing demand from Respondent within 90 days from the date Respondent received this Order, Respondent's right to a hearing is conclusively deemed to have been waived.**

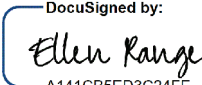
This Order shall remain in effect subject to the further order of the Insurance Commissioner.

**THIS ORDER IS EFFECTIVE IMMEDIATELY AND IS ENTERED** at Tumwater, Washington, this 24th day of March, 2021.



MIKE KREIDLER  
Insurance Commissioner

By and through his designee

DocuSigned by:  
  
A141CB5ED3C24FE...  
ELLEN RANGE  
Insurance Enforcement Specialist  
Legal Affairs Division

## CERTIFICATE OF MAILING

The undersigned certifies under the penalty of perjury under the laws of the state of Washington that I am now and at all times herein mentioned, a citizen of the United States, a resident of the state of Washington, over the age of eighteen years, not a party to or interested in the above-entitled action, and competent to be a witness herein.

On the date given below I caused to be served the foregoing ORDER TO CEASE AND DESIST AND IMPOSING A FINE NO. 21-0102 on the following individual(s) by email and by depositing in the U.S. mail via state Consolidated Mail Service with proper postage affixed to:

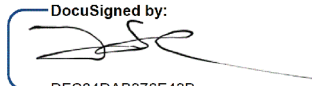
Data Partnership Group, LP  
5555 Glenridge Connector, Suite 200  
Atlanta, GA 30324

*Registered Agent for Data Partnership Group, LP*  
Jonathan Crumly  
Taylor English Duma LLP  
1600 Parkwood Circle, Suite 200  
Atlanta, GA 30339  
[Jcrumly@taylorenghish.com](mailto:Jcrumly@taylorenghish.com)

Courtesy copy sent via email to:

*Counsel for Respondent*  
Reginald Snyder  
[rsnyder@taylorenghish.com](mailto:rsnyder@taylorenghish.com)

Dated this 24th day of March, 2021, in Tumwater, Washington.

DocuSigned by:  
  
DFC84DAB376E43B...  
KIMBERLY SHOBLUM  
Paralegal  
Legal Affairs Division