

CASE NO. 1414200002

IN THE MATTER OF

CAMP HUAWNI

FLINT, TX

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BEFORE THE TEXAS

**DEPARTMENT OF STATE
HEALTH SERVICES**

AUSTIN, TX

AGREED ORDER

I. JURISDICTION

The Department of State Health Services, Consumer Protection Division ("Department") is authorized to enforce the Texas Youth Camp and Safety Act ("Act"), Health and Safety Code 141, and the Texas Youth Camp Safety and Health Rules ("Rules"), 25 Texas Administrative Code, Chapter 265, Subchapter B.

II. RESPONDENT

Camp Huawni ("Respondent") holds Youth Camp Registration No. 210001 and, as such, is subject to the aforementioned Act and Rules.

III. FACTS

On June 18, 2020, a representative from the Department conducted a youth camp inspection at Camp Huawni, 954 CR 4235 in Timpson, Texas. The purpose of the inspection was to determine the facility's compliance with the Rules and Act as referenced in "I. Jurisdiction."

As a result of the subsequent review of DSHS files, it was determined that Respondent failed to comply with provisions of the Rules and Act as referenced in "I. Jurisdiction." The violations are more specifically described in the Department's December 6, 2020, Notice of Violation Letter ("NOV"), which is adopted and incorporated in this Agreed Order ("Order") by reference.

IV. NOTICE

By the NOV, Joe Contreras, Consumer Protection Division, informed Respondent of the Department's intent to assess an administrative penalty of \$750.00. The letter was received by Respondent.

V. RESPONSE

Tommy Nicholson, representing Respondent, responded to the Department's NOV by submitting the administrative penalty of \$750.00.

VI. SETTLEMENT

On January 2, 2020, the Department received the administrative penalty payment. The parties reached a proposed settlement, the terms of which are contained in the "It is Ordered" section of this Order, based on various factors including the desire to avoid litigation.

Respondent agrees to terms of this Order as evidenced by signing the NOV. The following terms were agreed upon:

- Respondent elected to acknowledge the alleged violation and the proposed administrative penalty is paid.

Respondent has no objection to this Order being signed by the Compliance Section Manager or his designee.

VII. COMPLETE SETTLEMENT

The facts contained herein are the complete settlement of all issues regarding the violations described in "IV. Notice" of this Order.

A. WAIVER OF HEARING

In exchange for the execution of this Order, Respondent waives the right to a hearing.

B. NO WAIVER WITH REGARD TO FUTURE VIOLATIONS

The Department does not waive the right to enforce future violations committed by Respondent.

C. COMPLETE UNDERSTANDING

The Department and Respondent acknowledge that they understand the terms of this settlement, enter into the settlement freely, and agree to the terms.

D. NO RIGHT TO APPEAL

Respondent waives the right to judicial review of this Order.

NOW THEREFORE, IT IS ORDERED:

1. Because the Respondent elected to acknowledge the alleged violation, the administrative penalty for this occurrence is \$750.00.
2. Respondent shall henceforth comply with this Order and with all applicable laws, rules, and regulations governing the Texas Youth Camp and Safety Act.

Signed and ordered this 9th day of January, 2020.

Chris D. Drews

Chris D. Drews
Compliance Section Manager
Consumer Protection Division