

# Formulary transparency rulemaking

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The OIC will soon begin rulemaking to increase the transparency of formularies and prescription drug benefits. Initially, the OIC had intended for rulemaking to require that formularies be current and provide substantial amounts of information to consumers regarding their prescription drug benefits. Federal regulations have precluded the need for additional rulemaking in this regard. However, rulemaking is still necessary to ensure that consumers are fully aware of their prescription drug benefits. In particular, the rules may:

- Remove the burdensome requirements for issuers to use the pose and respond questions in WAC 284-43-5040 to notify consumers of their rights. However, the underlying disclosures will still be required, just in a different form.
- Clarify prescription drug benefit disclosures required under WAC 284-43-5170.

The rulemaking will not address discrimination within the prescription drug benefit.

## What's next?

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A CR-101 and stakeholder draft will be released in June. Stakeholders will be encouraged to provide comments on both the CR-101 and the stakeholder draft at this time.

A stakeholder meeting will be held later in the summer to discuss the draft.