

Health-related rules as of May 17, 2016

Rule name	Rule number	Description	Activity	Estimated completion date	Lead analyst
Prior authorization – medical benefit	R 2016-02	Applies the OneHealthPort- sponsored work group recommendations to the prior authorization approval timeframes within the medical benefit. (Per 2014’s ESSB 6511)	May 16 th – OIC filed CR-103. Effective date of January 1, 2017.	Completed.	Jim Freeburg
Rating requirements (SSB 6536)	R 2016-06	Rule will implement SSB 6536 from the 2016 Legislative session.	April 29 th – OIC filed CR-101 June 14 th – Stakeholder meeting (1 p.m. at 5000 Capitol Blvd.)	September 2016	Bianca Stoner
Registration and regulation of pharmacy benefit managers (5ESSB 5857)	R 2016-07	Rule will implement 5ESSB 5857 from the 2016 legislative session.	April 29 th – OIC filed CR-101 August - OIC will release stakeholder draft	End of 2016. Bill takes effect January 1, 2017.	Bianca Stoner
Emergency fill transparency	R 2016-08	Clarifies a carrier’s obligation to disclose to consumers information regarding emergency fills (from previous rulemaking - R 2014-03/ ESSB 6511)	April 29 th – OIC filed CR-101 Stakeholder draft online. Comments due June 17	Summer 2016	Jim Freeburg

Prior authorization requirements (ESSHB 1471)	R 2016-09	Rulemaking is being contemplated to implement ESSHB 1471.	April 29 th – OIC filed CR-101 Comments due June 17	Bill takes effect January 1, 2017.	Jim Freeburg
Adding dental insurance requirements to comply with SHB 1002	R 2016-10	Rule will implement SHB 1002 from the 2015 Legislative session.	April 29 th – OIC filed CR-101	End of 2016. Bill takes effect January 1, 2017.	Bianca Stoner
Revising cross-references to sections in Chapters 284-43 and 284-170	R 2016-11	No rule language is being changed in this process. This rulemaking is the third and final step of re-numbering and re-ordering the sections in Chapters 284-43 and 284-170 WAC to better cluster the rule sections by common topic and gain additional space in the currently overcrowded sections of Chapter 284-43.	May 3 rd – OIC filed CR-105	Summer 2016	Jim Keogh
Health plan special enrollment - Exchange request	R 2016-13	The Health Benefit Exchange has asked the OIC to change enrollment deadline for special enrollment on Exchange-only individual plans to align with federal requirements.	May 13 th - OIC filed CR-101 June 13 th – Stakeholder meeting (2 p.m. at 5000 Capitol Blvd., Tumwater) Mid-August – Hearing	September 2016	Bianca Stoner
Essential Health Benefits: Complying with federal guidance regarding coverage for obesity	R 2015-18	Minor technical changes to comply with guidance that the federal government issued in October 2015.	April 29 th – OIC filed CR-102 June 22 nd – (Hearing at 1 p.m. at 5000 Capitol Blvd, Tumwater)	Summer 2016	Bianca Stoner

Health plan special enrollment rules	R 2015-16 (formerly 2015-10)	Updating the existing special enrollment rules to comply with additional rules and guidance the federal government has issued since the OIC originally wrote the special enrollment rules in 2013.	September – Stakeholder meeting December – Hearing, file CR-103	2017	Bianca Stoner
Issuer disclosures, notices and processes to protect privacy of health care information	R 2013-11	Purpose: to make it easier for providers and consumers to prevent disclosure of information regarding consumers’ health care services to family members who are on the same health plan.	August – Stakeholder meeting	By end of 2016	Bianca Stoner
Independent Review Organizations	Not yet assigned	Per HB 2326, the rule transfers regulatory authority over IROs from the Department of Health to the OIC.	June – CR-101 will be filed	By end of 2016	Stacy Middleton
Prior authorization process	Not yet assigned	Improves the prior authorization process by standardizing and modernizing certain elements of the process.	Comments due June 17 June 28 – Stakeholder meeting (2 p.m. at 5000 Capitol Blvd., Tumwater)	Fall of 2016	Jim Freeburg
Prescription drug benefit transparency	Not yet assigned.	Improve a consumer’s awareness of their prescription drug coverage. Rulemaking will clarify the OIC’s expectations around formulary-related disclosures. Discrimination will not be part of this rule.	End of May – OIC will file CR-101	By end of 2016	Jim Freeburg

Essential Health Benefits: Additional minor revisions	Not yet assigned.	Correcting inconsistencies between the Essential Health Benefit WACs and the language of the base-benchmark plan and revising some minor, technically incorrect language (example: "Base-benchmark plan doesn't put a visit limit on preventive services")	Summer – OIC will file CR-101	Spring of 2017	Bianca Stoner
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Reminders:

- Send all comments to rulescoordinator@oic.wa.gov.
- Information on the rulemaking process, including how to participate, can be found online at <https://www.insurance.wa.gov/laws-rules/legislation-rules/rulemaking-process/>.
- All rulemaking activity is online at <https://www.insurance.wa.gov/laws-rules/legislation-rules/proposed-rules/>