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Hearings Unit, DIC
Patricia J. Peterson
Chief Hearing Officer

Timothy J. Parker

July 31, 2013

Honorable Mike Kreidler
State Insurance Commissioner
State of Washington
Office of Insurance Commissioner
P.O. Box 40256
Olympia, Washington 98504-0256

Re: Request for Hearing – Molina Healthcare of Washington

Dear Commissioner Kreidler:

Pursuant to RCW 48.04.010(1)(b) and 48.46.060 (3), Molina Healthcare of Washington, Inc. ("Molina") requests a hearing concerning the Office of the Insurance Commissioner's disapproval of Molina's individual market Exchange filings.

Molina would be "aggrieved" by this threatened act in that it would be excluded from the Washington Exchange Marketplace, and Washington consumers would be denied access to the fullest possible and most robust healthcare marketplace. Further, current Medicaid beneficiaries who are enrolled with Molina will be prejudiced by the potential loss of their provider relationships when they

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Honorable Mike Kreider

State Insurance Commissioner

July 31, 2013

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become ineligible for Medicaid and seek coverage through the Washington Healthplanfinder. The grounds to be relied upon by Molina include the filings submitted to the OIC which substantially complied with federal and state requirements and/or could have been readily amended or remedied to satisfy all such requirements had Molina received timely notice of intent to disapprove, i.e., the delay in review of Molina's filing and the "eleventh hour" notice of intended disapproval which unfairly denied Molina the opportunity to address any objections or concerns offered in support of the OIC's intended disapproval. Further, the OIC arbitrarily applied provider network access standards to Molina's exchange filings that were never clearly communicated by the OIC to Molina.

Molina was further aggrieved by what appears to be the OIC's arbitrary application of deadlines. Specifically, it came to our attention today that the OIC has extended the timeframe for SHOP QHP certification to next Tuesday, August 6, 2013, but refused to extend the same extension to health plans seeking a QHP certification for the individual market.

The relief sought in the hearing will be approval of the referenced filings and/or the opportunity to address and remedy any alleged deficiencies or omissions therein.

Respectfully submitted

CARNEY BADLEY SPELLMAN, P.S.

Timothy J. Parker

Counsel for Molina Healthcare of Washington, Inc.

TJP:cw

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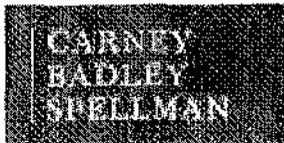
Cairns, Kelly (OIC)

From: Parker, Tim [Parker@carneylaw.com]
Sent: Wednesday, July 31, 2013 9:32 PM
To: Gellermann, AnnaLisa (OIC); Kriedler, Commissioner (OIC)
Cc: Brown, Charles (OIC); Williams, Christine; Sorensen, Melvin
Subject: *FW: Request for Hearing
Attachments: Letter to Kriedler re QHP denial (00054797-2).DOCX

Commissioner-

Attached is a request for hearing regarding the OIC's action and intended action with respect to Molina Healthcare of Washington's Exchange filings. Please feel free to communicate directly with MHW pending action by the hearing officer.

-Timothy J. Parker
Attorney for Molina healthcare of Washington



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