



FILED

OFFICE OF
INSURANCE COMMISSIONER
HEARINGS UNIT

2013 SEP 10 P 12:04

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Hearings Unit, OIC
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Patricia D. Petersen
Chief Presiding Officer
(360) 725-7105

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

In the Matter of)	Docket No. 13-0240
)	
KAISER FOUNDATION HEALTH PLAN OF THE NORTHWEST,)	ORDER TERMINATING PROCEEDINGS
)	
A Health Care Service Contractor.)	
<hr/>		

TO: Kaiser Foundation Health Plan of the Northwest
500 NE Multnomah Street, Suite 100
Portland, OR 97232-5398

Maren Norton, Esq.
Stoel Rives LLP
600 University Street, Suite 3600
Seattle, WA 98101-4109

Barbara Nay, Esq.
Stoel Rives LLP
900 SW Fifth Ave., Suite 2600
Portland, OR 97204-1268

COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
Molly Nollette, Deputy Commissioner, Rates and Forms Division
AnnaLisa Gellermann, Esq., Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

On August 1, 2013, the Insurance Commissioner ("OIC") disapproved the binder, form and rate filings ("KPIF Binder") of Kaiser Foundation Health Plan of the Northwest ("Kaiser") for the individual market, for sales relative to the new Washington State Health Benefits Exchange. The reasons provided by the OIC for its disapproval are as set forth in the OIC's August 1 Letter of



ORDER TERMINATING PROCEEDINGS

No. 13-0240

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Disapproval and in the OIC's SERFF online service. In response, Kaiser filed a Demand for Hearing on August 21 to contest OIC's disapproval based upon reasons stated therein.

On August 22, 2013, the undersigned held a first prehearing conference in this matter, which included all parties. The OIC was represented by AnnaLisa Gellermann, Esq., the Deputy Commissioner for OIC's Legal Affairs Division. Kaiser was represented by its outside legal counsel Maren Norton, Esq. and Barbara Nay, Esq. of Stoel Rives LLP law firm in Seattle Washington and Portland, Oregon, respectively. It was determined at that time that the hearing should be scheduled to commence on August 29. On August 29, the hearing commenced as properly scheduled. At that time, the parties orally presented a joint motion for continuance of this matter until September 3. This motion was granted, for good cause shown, by Order Granting Joint Motion for Continuance entered by the undersigned on August 29. Subsequently, Kaiser filed a Notice of Settlement and Withdrawal of Demand for Hearing on August 30 and Declaration of Maren Norton in Support of KFHPNW's Withdrawal of Demand for Hearing on September 4, advising that the OIC had approved Kaiser's subject filings thereby rendering moot the issues in the proceeding. Kaiser's Notice of Settlement and Withdrawal of Demand for Hearing and the declaration supporting the withdrawal are attached hereto and are by this reference made a part hereof.

Based upon the above activity,

IT IS HEREBY ORDERED that this proceeding, Docket No. 13-0240, is hereby dismissed.

ENTERED AT TUMWATER, WASHINGTON, this 10th day of September, 2013, pursuant to Title 48 RCW and specifically RCW 48.04 and Title 34 RCW and regulations applicable thereto.

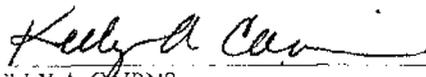


PATRICIA D. PETERSEN
Chief Presiding Officer

Declaration of Mailing

I declare under penalty of perjury under the laws of the State of Washington that on the date listed below, I mailed or caused delivery through normal office mailing custom, a true copy of this document to the following people at their addresses listed above:

DATED this 10th day of September, 2013.



KELLY A. CAIRNS

FILED

ALJ PATRICIA D. PETERSEN

2013 SEP -3 A 9:46

*Filed by email Aug 30
PAC*

BEFORE THE STATE OF WASHINGTON Hearings Unit, DIC
OFFICE OF THE INSURANCE COMMISSIONER Patricia D. Petersen
ALJ Hearing Officer

In the Matter of:

Docket No. 13-0240

**KAISER FOUNDATION HEALTH PLAN
OF THE NORTHWEST,**

**NOTICE OF SETTLEMENT AND
WITHDRAWAL OF DEMAND
FOR HEARING**

A Health Care Service Contractor.

Kaiser Foundation Health Plan of the Northwest ("KFHPNW") and the Washington State Office of the Insurance Commissioner have reached a resolution of this matter. Accordingly, KFHPNW hereby withdraws its demand for a hearing and requests that the hearing currently scheduled to take place on September 3, 2013 be vacated.

DATED this 30th day of August, 2013.

By:



Barbara L. Nay, WSBA No. 16108
Maren R. Norton, WSBA No. 35435
STOEL RIVES LLP

Attorneys for KFHPNW

CERTIFICATE OF SERVICE

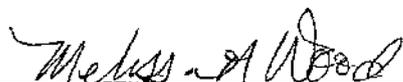
I, Melissa Wood, certify that at all times mentioned herein, I was and am a resident of the state of Washington, over the age of eighteen years, not a party to the proceeding or interested therein, and competent to be a witness therein. My business address is that of Stoel Rives LLP, 3600 One Union Square, 600 University Street, Seattle, Washington 98101.

On August 30, 2013, I caused a copy of the foregoing document to be served upon the following individual(s) in the manner indicated below:

Mike Kreidler
James T. Odiome
Molly Nollette
AnnaLisa Gellermann
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

- hand delivery
- facsimile transmission
- overnight delivery
- first-class mail
- email delivery
- email notification via CM/ECF

DATED this 30th day of August, 2013, at Seattle, Washington.



Melissa Wood

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ALJ PATRICIA D. PETERSEN

2013 SEP - 4 P 12: 22
KAC

BEFORE THE STATE OF WASHINGTON
OFFICE OF THE INSURANCE COMMISSIONER
Hearings Unit, DIC
Patricia D. Petersen
Chief Hearing Officer

In the Matter of:

**KAISER FOUNDATION HEALTH PLAN
OF THE NORTHWEST,**

A Health Care Service Contractor.

Docket No. 13-0240

**DECLARATION OF MAREN
NORTON IN SUPPORT OF
KFHPNW'S WITHDRAWAL OF
DEMAND FOR HEARING**

I, MAREN R. NORTON, hereby declare as follows:

1. I am one of the attorneys retained to represent the interests of Kaiser Foundation Health Plan of the Northwest ("KFHPNW") in this matter. I am above the age of eighteen years, have personal knowledge of the matters set forth herein, and am competent to testify to the same.
2. On August 20, 2013, KFHPNW filed its Demand for Expedited Hearing, seeking review of the Office of Insurance Commissioner's ("OIC's") disapproval of its 2014 KPIF Health Benefit Plans Binder and the associated rate and form filings ("the Binder").
3. On August 30, 2013, the OIC formally advised KFHPNW of the OIC's approval of KFHPNW's Binder, thereby rendering moot the issues raised in this proceeding.
4. Based on the foregoing, KFHPNW filed its Notice of Settlement and Withdrawal of Demand for Hearing on August 30, 2013.
5. I declare under penalty of perjury under the laws of the State of Washington that the foregoing facts are true and correct, to the best of my knowledge, information, and belief.

Signed at Seattle, Washington this 4th day of September, 2013.


Maren R. Norton

CERTIFICATE OF SERVICE

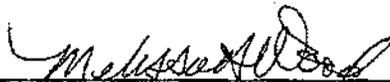
I, Melissa Wood, certify that at all times mentioned herein, I was and am a resident of the state of Washington, over the age of eighteen years, not a party to the proceeding or interested therein, and competent to be a witness therein. My business address is that of Steel Rives LLP, 3600 One Union Square, 600 University Street, Seattle, Washington 98101.

On September 4, 2013, I caused a copy of the foregoing document to be served upon the following individual(s) in the manner indicated below:

Mike Kreidler
James T. Odiorne
Molly Nollette
AnnaLisa Gellermann
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Olympia, WA 98504-0255

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- email notification via CM/ECF

DATED this 4th day of September, 2013, at Seattle, Washington.



Melissa Wood