

FILED

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

2015 FEB 11 A 9 34

In the Matter of)	Docket No. 15-0019
)	
ASSOCIATION OF WASHINGTON)	ORDER ON PREHEARING
BUSINESS and AWB HEALTHCHOICE)	CONFERENCE
EMPLOYEE BENEFITS TRUST)	
)	
)	
)	

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COPY TO: Mike Kreidler, Insurance Commissioner
James T. Odiorne, J.D., CPA, Chief Deputy Insurance Commissioner
AnnaLisa Gellermann, Deputy Commissioner, Legal Affairs Division
Charles Brown, Senior Insurance Enforcement Specialist, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
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This case came before me on February 10, 2015, for telephonic pre-hearing conference. Curt Hinline and Jeffrey Gingold, Attorneys at Law, appeared on behalf of the Association of Washington Business and AWB HealthChoice Employee Benefits Trust (collectively "AWB"), and Marta DeLeon, Assistant Attorney General, appeared for the Office of the Insurance Commissioner ("OIC").

1. In a letter to the OIC Hearing Unit dated January 13, 2015, AWB states that Premera Blue Cross is expected to file AWB's HealthChoice insurance plan with the OIC on or around January 14, 2015, and that the OIC has threatened to apply to association plan filings, including AWB's, legal requirements that are erroneous and exceed the Commissioner's statutory authority. AWB asserts, inter alia, that in the event the OIC disapproves or otherwise prevents its plan to continue as issued or to continue to be offered for sale in Washington State, it will be aggrieved, as its members and participants will lose their current health insurance coverage and other eligible members will be prevented from obtaining it.
2. AWB further asserts that if OIC denial occurs, its January 13 letter constitutes a demand for a hearing and for an automatic stay of OIC's disapproval, including a stay of any action by the OIC preventing or interfering with continuation of issued coverage and marketing of the AWB association health plan, pursuant to RCW 48.04.020.
3. The OIC asserts that AWB is not an "aggrieved party" entitled to demand a hearing or to request a stay, and that the requests AWB sets forth in its January 13 letter should be denied.
4. By February 27, 2015, the OIC shall serve and file its Motion. By March 6, 2015, AWB shall serve and file its Response to the OIC's Motion. By March 11, 2015, the OIC shall serve and file its Reply to AWB's Response. I expect to rule without oral argument as soon as possible after briefing is complete.

5. The parties agree that setting an evidentiary hearing is premature.

Dated: February 11, 2015

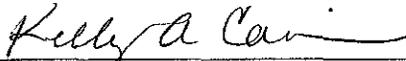


JUDGE GEORGE FINKLE (Ret.)
Presiding Officer

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: Curt Roy Himeline, Jeffrey L. Gingold, Marta DeLeon, Mike Kreidler, James T. Odiome, J.D., CPA, Charles Brown and AnnaLisa Gellermann.

DATED this 11th day of February, 2015.



KELLY A. CAIRNS

ORDER ON PREHEARING CONFERENCE

15-0019

Page -3