

July 24, 2015

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## VIA EMAIL AND U.S. MAIL

Honorable George Finkle (Ret.)  
OIC Presiding Officer  
Hearings Unit, Office of Insurance Commissioner  
P.O. Box 40255  
Olympia, WA 98504-0255

**Re: OIC's Request for Stay**  
**Building Industry Association of Washington Health Insurance Trust, 15-0075**  
**Cambia Health Solutions, 15-0071, 15-0078, 15-0084**  
**Master Builders Association of King and Snohomish Counties et al., 15-0062**  
**Northwest Marine Trade Association and NMTA Trust, 15-0079**

Dear Judge Finkle:

On behalf of the above-named parties, we are writing to respond to the Office of Insurance Commissioner (OIC)'s letter of July 17, 2015 requesting to stay the briefing schedules of the remaining association health plan cases "to allow review of the 2014 disapprovals in accordance with your decision in the WCIF, MBA, Cambia, BIAW and NMTA cases."

Although the above-referenced cases are not among the "remaining" cases and thus are not subject to further briefing, we nonetheless object to the OIC's request because it is premised on what we believe is an inaccurate characterization of your decisions in the WCIF, MBA, Cambia, BIAW and NMTA cases. Contrary to the OIC's assertion, we do not understand your decisions in these matters to constitute a remand of the 2014 Filings to the OIC Rates and Forms division for review. Instead, your decisions expressly denied the OIC's motions for summary judgment and granted the motions for summary judgment filed by the association health plans in the WCIF case and the consolidated MBA, Cambia, BIAW and NMTA case. The summary judgment motions in these cases requested that the OIC's disapprovals "be overturned and that the 2014 rate and form Filings be approved by the OIC."<sup>1</sup> Accordingly, we interpret your order granting the motions for summary judgment in these cases as directing the agency to overturn its disapprovals of the 2014 Filings and immediately approve those Filings.<sup>2</sup>

<sup>1</sup> See Motion for Summary Judgment by MBA Trust, BIAW Trust, NMTA Trust and Cambia at 27 and Washington Counties Insurance fund's Motion for Summary Judgment at 20.

<sup>2</sup> MBA Trust, BIAW Trust, NMTA Trust and Cambia also expect that the OIC will promptly approve the 2015 Filings for MBA Trust, BIAW Trust and NMTA Trust, as those Filings involve rating methodologies identical to those set forth in the 2014 Filings. The 2015 Filings have been pending for many months and the OIC has not provided

Honorable George Finkle (Ret.)

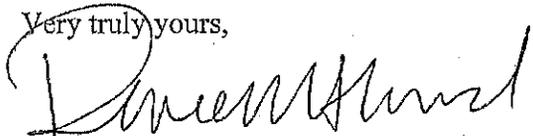
July 24, 2015

Page 2

There is no need for a 60-day delay to effectuate your Orders. The OIC has not provided any justification for such a delay in its July 17th letter. Further delay in approving the 2014 Filings will only exacerbate the harm the agency has already caused to these association health plans by its inappropriate rejections.

We would be pleased to participate in a status conference to discuss the effect of your decisions in these cases if that would be of assistance.

Very truly yours,



Renee M. Howard

Attorney for Master Builders Association of King and Snohomish Counties et al. and  
Building Industry Association of Washington Health Insurance Trust

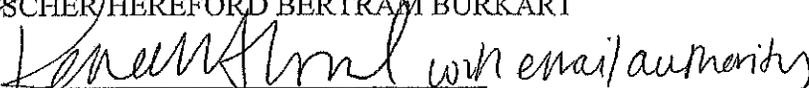
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any basis for further delay in acting upon these Filings now that a decision has been rendered that the rating methodologies set forth therein are lawful.