

FILED

BEFORE THE STATE OF WASHINGTON
OFFICE OF INSURANCE COMMISSIONER

2015 MAY 22 P 12: 14

In the Matter of)

MODA HEALTH PLAN, INC.)

and)

ASSOCIATED INDUSTRIES)
MANAGEMENT SERVICES, HEALTH)
ALLIANCE (ALLTECH) FOR)
TECHNOLOGY HEALTH TRUST,)
GREATER COLUMBIA MFG)
BENEFITS TRUST, COLUMBIA)
RETAIL BENEFITS TRUST,)
GREATER NORTHWEST HEALTH)
INDUSTRY BENEFITS TRUST,)
PACIFIC BUSINESS RESOURCE)
BENEFITS TRUST, and ASSOCIATED)
EMPLOYERS TRUST – COMMERCIAL)
CONSTRUCTION HEALTH AND)
WELFARE TRUST, ASSOCIATED)
INDUSTRIES OF THE INSLAND)
NORTHWEST (as representative of)
Sponsoring Employers), and JAMES)
DEWALT (as representative of)
Participants))

Petitioners.)

Docket No. 15-0063; 15-0064

PREHEARING CONFERENCE ORDER
AND ORDER RE CONSOLIDATION

TO: Maren R. Norton
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Attorney for Office of Insurance Commissioner

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, Deputy Commissioner, Legal Affairs Division
Office of the Insurance Commissioner
PO Box 40255
Olympia, WA 98504-0255

Moda Health Plan, Inc. (Moda) submitted a Demand for Hearing, dated and filed March 13, 2015 (Docket No. 15-0063), demanding a hearing to challenge the Office of the Insurance Commissioner's (OIC's) December 16, 2014, disapproval of the of its 2014 rate and form filings for ALLtech Information Technology Group and the Health Alliance (ALLtech) for Technology Health Trust; Columbia Retail Benefits Trust; Greater Northwest Health Industry Benefits Trust; Pacific Business Resource Benefits Trust; Commercial Construction Health and Welfare Trust; and Greater Columbia Manufacturing Benefits Trust.

Associated Industries Management Services (AIMS), a third party administrator of six Health Benefit Trusts (Trusts); each of the Trusts: Health Alliance (ALLtech) for Technology Health Trust, Greater Columbia Manufacturing Benefits Trust, Columbia Retail Benefits Trust, Greater Northwest Health Industry Benefits Trust, Pacific Business Resource Benefits Trust, and Associated Employers Trust – Commercial Construction Health and Welfare Trust; each of the sponsoring employers solely with respect to the insurance coverage provided by such Trusts, with Associated Industries of the Inland Northwest serving as a representative for such employers; and the individual participants of the Trusts, with James DeWalt serving as representative for such participants, also submitted a Demand for Hearing, dated and filed March 13, 2015 (Docket No. 15-0064), demanding a hearing to challenge the OIC's disapproval.

These matters, Docket No. 15-0063 and Docket No. 15-0064, are consolidated.

On May 21, 2015, the undersigned held a first prehearing conference. The OIC was represented by Marta DeLeon, Attorney at Law, Assistant Attorney General. Maren R. Norton, Attorney at Law, of Stoel Rives, represented Moda. Richard J. Birmingham and Christine Hawkins, Attorneys at Law, of Davis Wright Tremaine, represented AIMS, et al. James DeWalt and Nicole Tedrow of AIMS, and William Pardee, OIC Hearing Officer, also attended.

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The OIC stated that it plans to challenge the standing of petitioners. The OIC shall serve and file its standing Motion by August 21, 2015. Petitioners shall serve and file their Responses to such Motion by September 11, 2015. The OIC shall serve and file its Reply to such Responses by September 18, 2015. Oral argument is set for September 30, 2015 at 1:30 p.m. at Judicial Dispute Resolution, 1425 4th Avenue, #300, Seattle, Washington 98101.

Assuming these matters go forward following the entry of an Order on the standing Motion, the parties agree that presenting dispositive motion(s) before setting an evidentiary hearing would be most efficient. By October 9, 2015, the parties shall serve and file all dispositive Motions. By October 30, 2015, the parties shall serve and file Responses to such Motions. By November 6, 2015, the parties shall serve and file Replies to such Responses. Oral argument is set for November 16, 2015 at 1:30 p.m. at Judicial Dispute Resolution. Assuming these matters go forward following the entry of an Order on the dispositive Motions, an evidentiary hearing will be set for the earliest reasonably convenient date.

The parties shall meet and confer with respect to discovery and the form of a protective order, if any.

Non-dispositive motions (re discovery, protective order, or other issues) may be served and filed at any time, with responses and replies served and filed pursuant to the King County Superior Court Local Rules. I expect to rule without oral argument unless I request argument.

All case related documents and correspondence shall be directed to the Hearings Unit, Office of Insurance Commissioner, P.O. Box 40255, Olympia, Washington 98504-0255.

All interested individuals and entities who have questions or concerns concerning this proceeding should direct them to the Hearings Unit paralegal, Kelly Cairns, at the same address. Ms. Cairns' telephone number is (360) 725-7002.

Dated: May 22, 2015



JUDGE GEORGE FINKLE (Ret.)
Presiding Officer

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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: Maren R. Norton, Richard J. Birmingham and Christine Hawkins, Marta DeLeon, Mike Kreidler, James T. Odiorne, J.D., CPA, Molly Nollette, and AnnaLisa Gellermann.

DATED this 22nd day of May, 2015.


KELLY A. CAIRNS