



OFFICE OF
INSURANCE COMMISSIONER

September 18, 2018

Kerry Radcliff
Code Reviser's Office
P.O. Box 40551
Olympia, WA 98504-0551

Dear Ms. Radcliff:

I am withdrawing the CR-101 for R2013-11: Issuer disclosures, notices and processes to protect privacy of health care information. The Code Reviser's Office published this rule in WSR 13-11-144.

Our agency's reason for proposing the rule was to further ensure that issuer practices in disseminating explanation of benefit documents do not contain protected personal health information. As we progressed through the process for this proposed rule, we became aware that the language in RCW 48.43.510(2)(f) may prevent us from ensuring full protection of confidential health information because it requires insurance companies to provide an annual accounting upon request. Based on the information provided in the accounting, it may not be difficult for that person to determine that someone else on the health plan received a service without their knowledge. As a result, our agency has decided to withdraw the CR-101 and engage with stakeholders to encourage proposing amending legislation.

We will contact stakeholders and make them aware of this withdrawal.

Sincerely,

A handwritten signature in black ink that reads "Mike Kreidler".

Mike Kreidler
Insurance Commissioner

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: September 18, 2018
TIME: 4:32 PM

WSR 18-19-089