



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (October 2017) (Implements RCW 34.05.310)

Do NOT use for expedited rule making

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STATE OF WASHINGTON
FILED

DATE: July 02, 2019

TIME: 1:37 PM

WSR 19-14-108

Agency: Office of the Insurance Commissioner

Subject of possible rule making: Implementation of SHB 1870 (Chapter 33, Laws of 2019) – Federal Patient Protection and Affordable Care Act – State Law

Insurance Commissioner Matter R 2019-10

Statutes authorizing the agency to adopt rules on this subject: Sections 2 through 6, 8, 9 and 10 through 16 of Chapter 33, Laws of 2019 and RCW 48.02.060

Reasons why rules on this subject may be needed and what they might accomplish: The provisions of SHB 1870 noted above provide authority to OIC to engage in rulemaking necessary to implement the provisions of the legislation. The standard for rulemaking is as follows:

Unless preempted by federal law, the commissioner shall adopt any rules necessary to implement this section, consistent with federal rules and guidance in effect on January 1, 2017, implementing the patient protection and affordable care act.

Existing rules may need to be amended to be consistent with SHB 1870, and new rules may be required. Such rules will facilitate implementation of the law by ensuring that all affected entities understand their rights and obligations under the new law.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The Health Benefit Exchange must certify a qualified health plan as a condition of being offered on the WashingtonHealthPlanFinder. The Office of the Insurance Commissioner will coordinate with HBE as needed. HBE will have the opportunity to participate in this rulemaking proceeding.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Comments due by August 5, 2019

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:

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(If necessary)

Name:
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Additional comments:

Date: July 2, 2019	Signature: 
Name: Mike Kreidler	
Title: Insurance Commissioner	