



# 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: September 04, 2019

TIME: 10:08 AM

WSR 19-18-089

**Agency:** Office of the Insurance Commissioner

**Subject of possible rule making:** Prescription Drug Utilization Management (ESHB 1879)

Insurance Commissioner Matter R 2019-11

**Statutes authorizing the agency to adopt rules on this subject:** ESHB 1879 (Chapter 427, Laws of 2019 – effective date January 1, 2021), RCW 48.02.060.

**Reasons why rules on this subject may be needed and what they might accomplish:**

The Legislature passed ESHB 1879 during the 2019 session. The bill requires health carriers and prescription drug utilization management companies which restrict prescription drug coverage through use of utilization management protocols to provide both the patient and the prescribing practitioner access to a clear, readily accessible, and a timely exception process. Furthermore, it requires utilization management protocols to be evidence-based and creates requirements and timelines for step therapy exception requests. The OIC needs to develop rules to establish how the notice to participating providers would be given the standard process requirements and external review options.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** Not applicable

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Submit written comments by December 31, 2019.

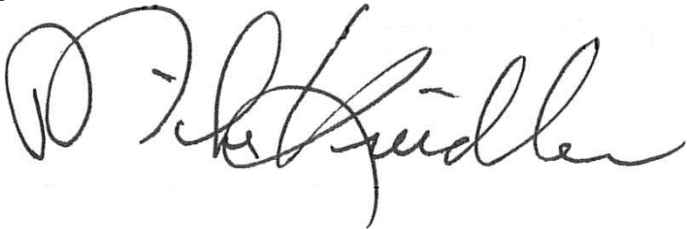
**Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting:**

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Other:

(If necessary)

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Web site:  
Other:

Additional comments:

<b>Date:</b> September 3, 2019	<b>Signature:</b> 
<b>Name:</b> Mike Kreidler	
<b>Title:</b> Insurance Commissioner	