



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

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FILED

DATE: June 02, 2020

TIME: 8:01 AM

WSR 20-12-083

Agency: Office of the Insurance Commissioner

Subject of possible rule making: Continued implementation of Chapter 427, Laws of 2019) – Balance Billing Protection Act

Insurance Commissioner Matter R 2020-07

Statutes authorizing the agency to adopt rules on this subject: RCW 48.49.060, 48.49.110, 48.43.730

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

The Balance Billing Protection Act established new requirements applicable to health carriers, hospitals, ambulatory surgical facilities, laboratories and several types of health care providers that offer health care coverage or services in Washington state. An initial set of rules were effective in December 2019, prior to the new law going into effect. Due to implementation experience to date, revisions to the rules are needed to refine implementation processes and clarify terms related to several components of the new law. Such rules will facilitate implementation of the law by ensuring that all affected entities understand their rights and obligations under the law.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

The WA State Department of Health (DOH) and the Office of the Insurance Commissioner OIC) share responsibility for enforcement of violations of the balance billing prohibition. The OIC has closely coordinated with DOH on implementation of these provisions and will continue to do so through this rulemaking proceeding.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Comments due June 17, 2020

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:
 Address:
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Additional comments:

Date: June 2, 2020

Name: Mike Kreidler

Title: Insurance Commissioner

Signature: