



PREPROPOSAL STATEMENT OF INQUIRY

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

Do **NOT** use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: July 22, 2025

TIME: 2:49 PM

WSR 25-15-145

Agency: Office of the Insurance Commissioner

Insurance Commissioner Matter R 2025-12

Subject of possible rule making: Implementation of SHB 1706 (2025), SHB 1669 (2025), 2SSB 6228 (2024), ESHB 1971 (2025), SSB 5351 (2025), 2SSB 5313 (2021), various updates to the Essential Health Benefit (EHB) Benchmark Plan, and other related legislation and state or federal laws incorporated as consolidated health care rulemaking.

Statutes authorizing the agency to adopt rules on this subject: RCW 48.02.060

Reasons why rules on this subject may be needed and what they might accomplish: The Insurance Commissioner is considering consolidated health care rulemaking due to the recent passage of insurance-related legislation and other changes in state or federal law. Multiple provisions of health care and insurance regulations in the Washington Administrative Code (WAC) may need to be updated by OIC to be consistent with the legislation passed and codified in the Revised Code of Washington (RCW) and other recent state or federal law changes. These rules will facilitate implementation of the new laws by ensuring that all affected health care providers and health carriers understand their legal rights and obligations under the enacted legislation and law changes.

This effort may include, but is not limited to: Aligning the WAC with federal requirements related to prior authorization; updating existing rules to include carrier requirements related to prosthetics and orthotics coverage; adopting language around a standardized form that carriers must use for authorization of substance use disorder treatment; updating rules to include reference to 12-month coverage of prescription hormone therapy; updating rules to include reference to new carrier reporting requirements for dental only plans; and updating various EHB Benchmark Plan rules. This rulemaking may include but is not limited to the following authorities: Chapter 284-43 Subchapters D, J, K, and L; WAC 284-43-5151; WAC 284-43-5937; WAC 284-43-5410; WAC 284-43-5602; WAC 284-43-5622; WAC 284-43-5642; WAC 284-43-5702; WAC 284-43-5782.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: The OIC is promulgating administrative rules related to the commercial plans it regulates. However, there are other state agencies who may be affected by this rulemaking.

The Health Care Authority (HCA) and OIC have similar statutory authority for EHB updates regarding hearing aids. Therefore, the OIC will coordinate on this rulemaking with other agencies, including HCA, by offering notices and opportunities for written comment or feedback with multiple participation forums.

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

- ☐ Negotiated rule making
- ☐ Pilot rule making
- ☐ Agency study
- ☒ Other (describe) Submit written comments by August 22, 2025.

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

(If necessary)

Name: Rules Coordinator

Name:

Address: 302 Sid Snyder Ave., SW, Olympia WA 98504

Address:

Phone: 360-725-7171
Fax: 360-586-3109
TTY: 360-586-0241
Email: rulescoordinator@oic.wa.gov
Web site: www.insurance.wa.gov
Other:

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

Additional comments:

Date: July 22, 2025

Name: Patty Kuderer

Title: Insurance Commissioner

Signature:

