

OIC Rules Coordinator

From: Kristine Robins <kristine@thebackpainreliefcenter.net>
Sent: Thursday, July 31, 2025 11:29 AM
To: OIC Rules Coordinator
Subject: Opposition to Use of FAIR Health Charge Benchmark in PIP Claims

External Email

Dear Commissioner Kuderer,

I am writing to express my strong disagreement with the current practice of allowing auto insurers to use the FAIR Health Charge Benchmark database to reduce payments on personal injury protection (PIP) claims to the 80th percentile. While I appreciate your efforts to initiate proposed rulemaking on this issue, I want to emphasize how deeply this practice is harming both patients and providers in real-world settings.

As a provider, I have seen firsthand the negative consequences of these arbitrary reductions. Patients are often forced to limit or delay necessary care out of fear of unexpected out-of-pocket costs. In some cases, treatment is discontinued altogether—not because the patient has healed, but because their benefits are unfairly restricted by insurer-driven algorithms rather than medical necessity.

These practices are not only undermining the recovery of accident victims, but they are also eroding trust in the very coverage Washington residents pay for and expect to be there in their time of need. The use of a percentile-based benchmark that does not account for clinical complexity, local rates, or actual billed charges is fundamentally flawed and does not reflect the spirit or intent of personal injury protection benefits.

Our clinic and others in the community are increasingly burdened by time-consuming appeals and payment disputes that should not exist in a system meant to support injured parties. It is disheartening to witness insurers sidestep their policy obligations under the guise of "benchmarking" while patients are left underserved and financially vulnerable.

I fully support your office's proposed rulemaking to limit or eliminate the use of the FAIR Health Charge Benchmark as a tool for automatic payment reductions. This is a necessary step to ensure that our state's laws are enforced fairly and that injured individuals receive the full benefit of their PIP coverage.

Thank you for your leadership on this issue and for considering my comments. I urge you to move forward swiftly with rules that restore balance and accountability in personal injury claims.

Sincerely,
Kristine Robins



Kristine Robins
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[Schedule Appointment](#)

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