



October 3, 2025

Mr. Nico Janssen
Senior Health Policy Advisor
Washington Office of the Insurance Commissioner
Submitted via email: rulescoordinator@oic.wa.gov

RE: Comments on Draft Rule R 2025-11 – Health Care Benefit Managers

Dear Mr. Janssen,

On behalf of Cambia Health Solutions, I am submitting these comments on the proposed amendments to WAC Chapter 284-180 regarding health care benefit managers (HCBMs) and pharmacy benefit manager (PBMs). We appreciate the opportunity to provide feedback on these important regulations implementing Chapter 242, Laws of 2024 (E2SSB 5213).

Request for Clarification on Self-Funded Group Health Plan Opt-In Provisions

We respectfully request clarification on the scope and application of the self-funded group health plan opt-in provisions under RCW 48.200.330 and the implementing rule WAC 284-180-465.

Our primary question concerns eligibility: Does the opt-in right apply only to self-funded plans (or their administrators) that contract directly with a PBM, or does it also extend to self-funded plans that receive PBM services indirectly through third-party administrators, carriers, or other intermediaries? RCW 48.200.330(2) references PBM conduct "pursuant to a contract with a self-funded group health plan," and requires compliance from "any pharmacy benefit manager it contracts with," but some plans access PBM services through indirect arrangements rather than direct contracts. We believe the statutory language does not include indirect contractual relationships, and the regulations should resolve this ambiguity.

Additionally, we request clarification regarding subsection (3) of RCW 48.200.330, which addresses plans not governed by ERISA. We seek to understand whether the Commissioner would have enforcement authority over PBMs pursuant to contracts with self-funded groups that are not subject to ERISA, and how this authority would be applied in practice.

These clarifications are important for stakeholders to understand eligibility requirements and compliance obligations before the January 1, 2026, effective date and as the OIC implements its opt-in process this fall.



Thank you for your consideration of these comments. Please feel free to contact me if you need any additional information or would like to discuss these comments further.

Sincerely,

A handwritten signature in black ink that reads "Jane Douthit". The signature is written in a cursive style with a large, looping initial "J".

Jane Douthit
Cambia Health Solutions
Sr. Public & Regulatory Affairs Specialist