



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Office of the Insurance Commissioner

Preproposal Statement of Inquiry was filed as WSR 15-11-084 ; or
 Expedited Rule Making--Proposed notice was filed as WSR _____; or
 Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).

Original Notice
 Supplemental Notice to WSR

Continuance of WSR _____

Title of rule and other identifying information: Issuer filing of attestation form regarding transparency tools for consumer information on health care cost and quality

Insurance Commissioner Matter No. R 2015-03

Hearing location(s):
 Office of the Insurance Commissioner
 Training Room (TR-120)
 5000 Capitol Blvd SE
 Tumwater, WA

Date: September 30, 2015 Time: 8:30 a.m.

Submit written comments to:
 Name: Jason Siems
 Address: P.O. Box 40258
 Olympia, WA 98504
 e-mail rulescoordinator@oic.wa.gov
 Fax: 360-586-3109 by (date) September 30, 2015

Assistance for persons with disabilities:
 Contact: Lori Villaflores by, September 16, 2015

TTY (360) 586-0241 or (360) 725-7087

Date of intended adoption: October 2, 2015
 (Note: This is **NOT** the **effective** date)

Purpose of the proposal and its anticipated effects, including any changes in existing rules: RCW 48.43.007 requires health plan issuers in Washington to attest to the office of the insurance commissioner that their member transparency tools meet the requirements in the statute and that access to the tools is available on the issuers home page within the health plan's secured member web site. This proposed rule directs health plan issuers to file with OIC one annual attestation for each market level of plans offered in Washington (e.g., individual, small group and large group). The proposed rule provides guidance as to how the attestation(s) should be provided to OIC.

Reasons supporting proposal: The proposed rule will assist health plan issuers in complying with RCW 48.43.007, by providing direction as to how and when the attestations required by the statute are to be filed with the office of the insurance commissioner.

Statutory authority for adoption: RCW 48.02.060, 48.43.340, 48.44.050.

Statute being implemented: RCW 48.43.007.

Is rule necessary because of a:

Federal Law?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:

DATE August 12, 2015

NAME (type or print)
Mike Kreidler

SIGNATURE

TITLE
Insurance Commissioner

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: August 12, 2015

TIME: 4:51 PM

WSR 15-17-046

Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

None

Name of proponent: (person or organization) Mike Kreidler, Insurance Commissioner

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jason Siems	302 Sid Snyder Ave., Olympia, WA 98504	(360) 725-7037
Implementation....Leslie Krier	5000 Capitol Blvd, Tumwater, WA 98504	(360) 725-7216
Enforcement.....AnnaLisa Gellermann	5000 Capitol Blvd, Tumwater, WA 98504	(360) 725-7050

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:
Address:

phone () _____
fax () _____
e-mail _____

No. Explain why no statement was prepared.

The entities that must comply with the proposed rule are not small businesses, pursuant to Chapter 19.85 RCW

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name: Jason Siems
Address: P.O. Box 40258
Olympia, WA 98504-0258

phone (360) 725-7037
fax (360)725-3535
e-mail rulescoordinator@oic.wa.gov

No: Please explain:

NEW SECTION

WAC 284-43-927 Issuer filing of attestation form, transparency tools. Every issuer offering or renewing a health benefit plan on or after January 1, 2016, must attest to the insurance commissioner that the transparency tools available to their members meet the requirements of RCW 48.43.007.

(1) Annually, each health plan issuer must file an attestation form with the insurance commissioner for each line of business written by the issuer. For purposes of this section, line of business is defined as individual, small group and large group health plans.

(2) The form must be signed by an officer of the issuer that is responsible for ensuring compliance with RCW 48.43.007.

(3) The form must be submitted to the insurance commissioner no later than February 1st of each calendar year. Instructions for filing of the form will be available on the insurance commissioner's web site no later than sixty days prior to the filing deadline.