



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: July 02, 2021

TIME: 10:37 AM

WSR 21-14-063

Agency: Office of the Insurance Commissioner

Subject of possible rule making: Administrative Hearings

Insurance Commissioner Matter R 2021-09

Statutes authorizing the agency to adopt rules on this subject: RCW 34.05.220(1)(a), RCW 34.05.250, RCW 34.05.446(2), and RCW 48.02.060(3)(a).

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

The Commissioner is considering this rulemaking to improve administrative hearings, discovery, and service processes. WAC 284-02-070 incorporates by reference many of the civil discovery rules for administrative hearings. This creates several problems, where parties propound discovery without justifying the same with the presiding officer. This results in the Office of the Insurance Commissioner (OIC) receiving overly broad discovery requests that do not provide any commensurate benefit to the administrative hearing process and can delay proceedings or obstruct agency action. Additionally, the OIC is currently required to reach electronic service agreements on a case-by-case basis with all opposing parties. The purposes of this rulemaking are to optimize discovery, such as limiting depositions, interrogatories, requests for production, and requests for admissions, and allow electronic service in all OIC hearings, in the interest of avoiding delays and achieving administrative efficiencies.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: None


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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Submit written comments by July 28, 2021

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

Name: Michael Walker	(If necessary) Name:
Address: 302 Sid Snyder Ave., SW, Olympia WA 98504	Address:
Phone: 360-725-7036	Phone:
Fax: 360-586-3109	Fax:
TTY: 360-586-0241	TTY:
Email: rulescoordinator@oic.wa.gov	Email:
Web site: www.insurance.wa.gov	Web site:
Other:	Other:

Additional comments:

Date: July 2, 2021	Signature: 
Name: Mike Kreidler	
Title: Insurance Commissioner	