

DATE: July 20, 2021

TIME: 1:25 PM

WSR 21-15-107

Office of the Insurance Commissioner Semi-Annual Rule Development Agenda July 2021

The Commissioner has initiated rulemaking on the following rules. This list is current as of July 20, 2021. There may be additional rulemaking activity not included on this agenda and all information referenced is subject to change. For the most up-to-date information visit our rulemaking website:

<https://www.insurance.wa.gov/legislation-and-rulemaking>

For questions, please contact Bryon Welch: rulescoordinator@oic.wa.gov or 360-725-7037.

Summary	Statutory Authority	Potentially Impacted WACs	Status
Resident adjuster continuing education requirements (R 2021-03)	RCW 48.02.060, 48.17.005, and 48.17.150.	WAC 284-17-200, 284-17-220, 284-17-222, 284-17-224, 284-17-273, 284-17-278, 284-17-292.	CR 101: WSR 21-13-135 filed 6/22/2021
Prohibiting the depreciation of labor on property claims (R 2021-04)	RCW 48.02.060, 48.27.020, and 48.18.120.	WAC 284-20-010.	CR 101: WSR 21-13-134 filed 6/22/2021
Reinsurance agreements (R 2021-05)	RCW 48.02.060, 48.12.480, sections 2 and 4, chapter 138, Laws of 2021 (Senate Bill 5048).	WAC 284-12-53902, 284-13-53903, 284-13-536, 284-13-538, 284-13-539, 284-13-53901, 284-13-540, 284-13-59509.	CR 101: WSR 21-13-133 filed 6/22/2021
Telemedicine and audio-only telemedicine services (R 2021-07)	Section 2 of Chapter 157, Laws of 2021 codified at RCW 48.43.735(9).	To be determined.	CR 101: WSR 21-13-132 filed 6/22/2021
Temporarily prohibiting the use of credit history on some personal lines (R 2021-07)	RCW 48.02.060, 48.18.480, 48.19.020, 48.19.035, 48.19.080.	WAC 284-24A-050, and 284-24A-090.	CR 101: WSR 21-13-131 filed 6/22/2021

Summary	Statutory Authority	Potentially Impacted WACs	Status
Using respectful language (R 2021-08)	RCW 48.02.060.	WAC 284-50-330.	CR 101: WSR 21-14-062 filed 7/2/2021
Administrative Hearings (R 2021-09)	RCW 48.02.060(3)(a), 34.05.220(1)(a), 34.05.250, 34.05.446(2).	WAC 284-02-070(2).	CR 101: WSR 21-14-063 filed 7/2/2021
Title Agent County Declarations (R 2021-10)	RCW 48.02.060(3) and 48.29.005.	WAC 284-29-130.	CR 101: WSR 21-14-064 filed 7/2/2021
Actuarial Designations (R 2021-11)	RCW 48.02.060, 48.05.073, 48.05.383.	WAC 284-07-060.	CR 101: WSR 21-14-065 filed 7/2/2021
Captive insurance (R 2021-12)	Section 6 of Chapter 281, Laws of 2021, and RCW 48.02.060(3)(a).	To be determined.	CR 101: WSR 21-14-075 filed 7/6/2021
Student health plans (R 2021-13)	RCW 48.02.060 and Chapter 53, Laws of 2021 (House Bill 1009).	WAC 284-43-7210, 284-43-7220, 284-43-7250.	CR 101: WSR 21-14-096 filed 7/7/2021
Health insurance discrimination and gender affirming treatment (R 2021-14)	RCW 48.02.060, 48.43.515, and Chapter 280, Laws of 2021.	To be determined.	CR 101: WSR 21-14-095 filed 7/7/2021
FAIR plan committee members (R 2021-15)	RCW 48.02.060, 48.01.030, 48.18.480	WAC 284-19-140, WAC 284-19-150.	CR 101: WSR 21-14-076 filed 7/6/2021
Implementation of E2SHB 1477 and Consolidated Health Care Rulemaking (R 2021-16)	RCW 48.02.060, 48.43.515, 48.44.050, 48.46.200 and Chapter 302, Laws of 2021.	WAC 284-170-280.	CR 101: WSR 21-14-094 filed 7/7/2021

Summary	Statutory Authority	Potentially Impacted WACs	Status
Health care sharing ministries (R 2021-17)	RCW 48.02.060, 48.17.005, and 48.15.015.	To be determined.	CR 101: WSR 21-14-097 filed 7/7/2021
Washington state health insurance pool (R 2021-18)	RCW 48.41.170, and 48.02.060	To be determined.	CR 101: WSR 21-15-096 filed 7/20/21
Emergency rule: Temporarily prohibiting the use of credit history (R 2021-19)	RCW 48.02.060, 48.18.480, 48.19.020, 48.19.035, and 48.19.080.	WAC 284-24A-088 and 284-24A-089.	CR 103E: 21-15-058 filed 7/15/21

Other Possible Rule-Makings Topics

In addition to the rules referenced above, the Commissioner continues his effort to update and clarify code, as well as implement recent legislation. A potential list of subjects that may be considered for future rulemaking include or may include:

- Adjuster issues
- Annuity marketing and disclosure requirements
- Audited financial statements
- Barriers to patient care access resulting from contracting practices
- Coordination of benefits
- Dental insurance practices
- Discontinuation and renewal of health plan coverage
- Discrimination in health care plan design
- Electronic filing of state specific reporting
- Electronic notices and document delivery of insurance products
- Essential health benefits
- Fixing outdates references
- Health care coverage in general
- Health care coverage specific to dependents and incapacitated children
- Implementation credits
- Implementation of state legislation or reform
- Implementation of federal legislation or reform
- Licensing requirements
- Life and Disability issues
- Market stabilization
- Medical parity
- Minimum valuation standards

NAIC model act implementation
Pharmacy formulary tiers
Pharmacy exceptions, substitutions and appeals process
Pediatric Dental
Prelicensing insurance education
Producer issues
Producer commissions
Property and Casualty issues
Ride-sharing insurance coverage
Summary of health insurance benefits coverage
Surprise billing
Rating variables
Title insurance records



Insurance Commissioner Mike Kreidler