

Washington State SERFF Health Care Benefit Manager Form Filing General Instructions

These instructions apply to the filing of health care benefit management contract forms (form) for all Health Care Benefit Managers (HCBM). A form subject to submission requirements includes but is not limited to, any written agreement describing the rights and responsibilities of the parties regarding prior authorization or preauthorization of benefits or care, certification of benefits or care, medical necessity determinations, utilization review, benefit determinations, claims processing and repricing for services and procedures, outcome management, provider credentialing and recredentialing, payment or authorization of payment to providers and facilities for services or procedures, dispute resolution, grievances, or appeals relating to determinations or utilization of benefits, provider network management, or disease management.

For purposes of these general filing instructions provider network management forms shall be referred to as **provider network management** forms. All other forms shall be collectively referenced as **service contract** forms. Please review all filing instructions with specific emphasis on the type of contract being filed.

All forms filed by HCBMs through the SERFF system that meet these general filing instructions shall be considered confidential and not subject to public inspection. If a form filing does not meet the filing instructions and the HCBM **has** indicated in the SERFF Filing Description field that the filing is to be withheld from public inspection, then it shall be rejected. When a filing is rejected, it is not considered to be submitted to the OIC for review and the regulatory requirement to submit a filing has not been satisfied. If a form filing does not meet the filing instructions and the HCBM **has not** indicated in the SERFF Filing Description field that the filing is to be withheld from public inspection (Not for Public), the filing will be accepted as a For Public record and available for public review.

Please see the Washington State SERFF Health and Disability Form Filing General Instructions for filing of the following: provider contracts and compensation agreements by a Health Carrier or Limited Health Care Service Contractor.

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I. Filing Requirements for ALL Health Care Benefit Managers

A. All HCBM forms must be filed in SERFF:

1. Please see the NAIC Uniform Life, Accident & Health, Annuity and Credit Coding Matrix for the list of these products.
 - a. The matrix can be found at www.insurance.wa.gov/filing-instructions. Choose “SERFF Filing Guidelines” under Filing Instructions.
 - b. ALL forms filed by HCBMs must be submitted under:
 - i. TOI – NA01 Network Access Provider Contract
 - ii. Sub-TOI – NA01.004 Other
2. It is very important to check your message center in SERFF for Notes to Filer and Objection Letters, as our Intake Unit uses this method to communicate on requests for corrections and our compliance Analysts use this to communicate issues during the review process. [WAC 284-180-425(1)(b)]
3. The SERFF Effective Date Requested field must be populated with the date the contract, contract amendment, and compensation exhibit were effective. Helpful hint: implementation date = effective date for final disposition purposes in SERFF.
4. You may not encrypt or otherwise electronically protect any document filed with OIC for review. We must be able to make a PDF copy of each of your forms.

II. Service Contract Filings:

1. Your complete submission must include all terms and conditions of the contract, contract amendment(s), and compensation within 30 days following the effective date of the contract or contract amendment. [WAC 284-180-460]
 - a. If you modify the contract or compensation in any manner, including negotiate, amend, or modify the contract or compensation, it must be filed within thirty days following the effective date of the modification.
2. You may attach supporting documentation for a specific form under the Supporting Documentation tab.
3. The SERFF Product Name field must be populated using the specific type of service contract [RCW 48.200.020(4)(a)(i)-(xii)] first and the contracting party second. For example:
 - a. Correct Product Name: Outcome Measurement Contract with Regence BlueShield
 - b. Incorrect Product Name (will require correction): *General Template*
4. Bracketing and variability will not be accepted.
5. In your initial submission, all forms that comprise your filing must be in final format and attached on the Form Schedule tab.
 - a. You must list all filed forms in separate lines on the Form Schedule tab and enter form numbers correctly. Each form listed on the Form Schedule tab must have only one unique identifying form number.
 - i. The form number must include a way to distinguish it from other versions of the same form. For example, a version number or date may be used at the end of the form number. [WAC 284-180-425(1)(a)(ii)]
 - b. Each form filed must contain a unique form number in the lower left-hand corner of the document.
 - i. A form retains the same form number throughout the review process.
 - ii. A form that has any revision outside the review process is a new form. You may not file a revised version of a previously filed form using the same form number.
 - c. The filing must include a common implementation date for all forms submitted in the filing. [WAC 284-180-450]
 - i. You may submit a request to change the filing implementation date by sending a Note to Reviewer requesting the modification.
6. "Corresponding Filing Tracking Number" Field:
 - a. You must complete the "Corresponding Filing Tracking Number" field if there is a required corresponding filing. (Note this field can be changed via post-submission update if necessary.)

7. Timing of changes to a Form Filing:
- a. You may make changes to your filing in response to a Note to Filer from our Intake Unit prior to acceptance of your filing.
 - b. You may make any changes to the forms in your filing that are required to be made in response to an objection in that filing. Those changes may be made at any time between receipt of the Objection Letter and the "respond-by" date in the Objection Letter.
 - c. The timing of changes to your filing for any other reason must be coordinated with the Analyst assigned to that filing. Failure to coordinate with your Analyst may interrupt (and thus delay) review of the filing or may require the Analyst to re-start review from the beginning. If you make a change that necessitates re-starting review from the beginning, that review will be prioritized according to the date of the change (not the date of the original filing). This will delay review of your filing.
 - d. To coordinate timing of changes with your Analyst, you must send a Note to Reviewer in the form filing requesting to make the change. The Note to Reviewer must be sent in the filing you are requesting to change and include specific details of the change requested.
 - i. Your Analyst will respond to your request in a Note to Filer. The Analyst may:
 1. Authorize you to make the change immediately.
 2. Request that you make the change later during the review process; or
 3. Advise you of any specific compliance concerns about the change you have requested.
 - e. Do not make any modifications other than as specifically authorized by your Analyst in the Note to Filer. Filings modified without coordination with the Analyst may be treated as un-reviewed filings and prioritized according to the date of the unauthorized change (not the date of your original filing). This will delay review of your filing.

III. Provider Network Management Filings

Under RCW 48.200.020(4), RCW 48.200.040(2) and WAC 284-180-460, all contracts and compensation agreements for provider network management, which includes participating provider and facility contract forms must be in writing and filed by HCBMs.

A. Provider and Facility Filings – General Provisions

1. Your complete submission must include all terms and conditions of the contract, contract amendment(s), and compensation within 30 days following the effective date of the contract or contract amendment. [WAC 284-180-460]
2. You must properly identify the type of agreement being filed by following the Product Name field requirements for Sub-TOI NA01.004 in the SERFF Submission Requirements.
3. In your initial submission, all forms that comprise the provider or facility agreement must be in final format and attached on the Form Schedule tab.
 - a. You must list all filed forms in separate lines on the Form Schedule Tab and enter form numbers correctly. Each form listed on the Form Schedule tab must have only one form number.
 - b. Each form filed must have a unique identifying number (in the lower-left corner of the document) and a way to distinguish it from other versions of the same form.
 - i. A form retains the same form number throughout the review process.
 - ii. A form that has undergone any revision outside the review process is a new form. This means you may not file a revised version of a previously filed form using the same form number.
 - c. You may attach supporting documentation for a specific form under the Supporting Documentation tab.
4. Amending a filing:
 - a. You may make changes to your filing in response to a Note to Filer from our Intake Unit prior to acceptance of your filing.
 - b. You may make any changes to the forms in your filing that are required as the response to an Objection Letter. Those changes may be made at any time between receipt of the Objection Letter and the “respond by” date in the Objection Letter.

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- c. Amendments made for any other reason must be coordinated with the Analyst assigned to that filing. Failure to coordinate with your Analyst may interrupt (and thus delay) review of the filing.
 - d. To coordinate making an amendment with your Analyst, you must send a Note to Reviewer in the filing requesting to make the change. The Note to Reviewer must be sent in the filing you are requesting to change and include specific details of the change requested. Your Analyst will respond to your request in a Note to Filer. The Analyst may:
 - i. Authorize you to make the change immediately.
 - ii. Request that you make the change later during the review process; or
 - iii. Advise you of any specific compliance concerns about the change you requested.
 - e. Do not make any modifications other than as specifically authorized by your Analyst in the Note to Filer. Filings modified without coordination with the Analyst may be treated as un-reviewed filings and prioritized according to the date of the unauthorized change (not the date of your original filing). This will delay review of your filing
5. "Corresponding Filing Tracking Number" field in SERFF:
- a. You must complete the "Corresponding Filing Tracking Number" field if there is a required corresponding filing. (Note that this field can be changed via post-submission update if necessary.)
 - i. "Corresponding Filing Tracking Number" is the number for a filing that is required to be filed in relation to the current filing.
 - ii. A corresponding filing tracking number must be a SERFF tracking number. It cannot be a state tracking number, company tracking number, or form number.
6. To expedite your filing, you may include a completed copy of the Provider and Facility Checklist on the Supporting Documentation tab. Checklists are now also available in PDF format via SERFF, or you can find the checklist on our website.
7. You must make a separate submission for each provider and facility agreement type. You may not file multiple agreements [i.e., provider, facility, ancillary, etc.] in one SERFF submission.

B. Provider and Facility requirements by specific contract type:

1. A **Washington State specific template** must include all forms, exhibits, appendices, and provider compensation schedule filed on the Form Schedule tab.
 - a. You must make a separate submission for each contract template.
 - b. Contract templates must be filed exactly as executed in the marketplace.
 - c. A contract addendum or amendment to the core agreement must be filed and include a copy of the core agreement and all subsequent addenda or amendments filed on the Form Schedule tab.
 - d. Limited variability in the template filing will be accepted for the purposes of defining dates, time frames, liability insurance amounts, network participation compensation, and provider demographics. A variability statement must be included under the Supporting Documentation tab.

2. A **National template with a Washington State Regulatory Appendix** must include all forms, exhibits, regulatory appendix, provider compensation schedule, etc., filed on the Form Schedule tab.
 - a. You must make a separate submission for each contract template.
 - b. Contract templates must be filed exactly as executed in the marketplace.
 - c. A contract addendum or amendment to the core agreement must be filed and include a copy of the core agreement and all subsequent addenda or amendments filed on the Form Schedule tab.
 - d. Limited variability in the template filing will be accepted for the purposes of defining dates, time frames, liability insurance amounts, network participation, compensation, and provider demographics. A variability statement must be included under the Supporting Documentation tab.

3. A **Negotiated Contract** filing must include the provider or facility specific agreement documents that will include, but may not be limited to the core agreement, exhibits, provider compensation, and regulatory appendices filed on the Form Schedule tab.
 - a. You must make a separate submission for each negotiated agreement.
 - b. All negotiated contracts and compensation agreements must be filed with the commissioner and include all contract documents between the parties [WAC 284-

180-460(1)]. This means that if either a contract or a compensation agreement is negotiated (outside of filed variability), both the contract and compensation agreement must be filed.

- c. The filing must include the provider– or facility- specific agreement documents that will include, but may not be limited to core agreement, exhibits, compensation exhibits, and any regulatory appendices filed on the Form Schedule.
 - d. A contract addendum or amendment to the core agreement must be filed and include a copy of the core agreement and all subsequent addenda or amendments and provider compensation exhibits filed on the Form Schedule tab
 - e. Revised negotiated agreements must have a unique form number.
4. **HCBMs that subcontract, delegate or otherwise contract to lease a provider network** must file that contract and compensation exhibit between the parties on the Form Schedule tab for review.

IV. Your Filing Will Be Rejected If

A. Incorrect product name:

1. Your Service Contract form filing will be rejected if it does not use the correct Product Name format on the General Information tab as set forth in these Instructions.
2. Your Provider Network Management form filing will be rejected if it does not use the correct Product name format in the SERFF Submission Requirements.
3. You will be given an opportunity to correct this field if needed. The filing will be rejected if the field is not corrected.

B. You have failed to identify a required corresponding filing:

1. See Section I.B.6 of these instructions above.
2. You will be given an opportunity to correct this field if needed. The filing will be rejected if the field is not corrected.

C. We cannot download your filing into our back-office system:

1. There are several reasons why we may not be able to download filings into our back-office system. The most common reasons include:
 - a. Attachments are not in PDF format.
 - b. If your State ID number is missing or an incorrect State ID number is entered in

the Filing Company Information, under the Companies and Contact tab. This State ID number is the same as your company's WAOIC number.

- c. You include an incorrect Type of Insurance (TOI) or Sub-TOI as listed on the NAIC Uniform Life, Accident & Health, Annuity and Credit Product Coding Matrix.
 - i. The matrix www.insurance.wa.gov/filing-instructions. Choose "SERFF Filing Guidelines" under Filing Instructions.

D. Rejected filings will not be re-opened:

1. If the OIC Technical Support Unit rejects your filing, you must submit a new filing following the procedures in our Rejection Notice and General Instructions.

V. Requirements for Responses to SERFF Objection Letters

A. All attachments to responses must be in PDF format.

B. When responding to an Objection Letter, you must:

1. Amend your filing as necessary to respond to an objection.
2. When making changes to an already submitted form, attach a revised document on the Form Schedule tab.
3. Add a Schedule Item on the Form Schedule tab to add additional forms not previously submitted.
4. Revise exhibits and supporting documentation as necessary on the Supporting Documentation tab.
5. Add exhibits and supporting documentation as necessary to the Supporting Documentation tab.
6. Respond to each objection using the SERFF response letter process.
7. If a form Schedule Item is no longer to be considered part of the filing, remove the PDF attachment from the Form Schedule tab.
8. If an Objection Letter indicates that your Analyst has listed examples of an issue that exists throughout the filing, you must correct **ALL** instances where that issue occurs. Do not correct the issue only in the places listed in the examples. You must review the entire form(s), identify each place the issue occurs, and correct it in each place. Failure to do so delays review. Review of your filing may be stopped while another Objection Letter is sent asking you to complete the corrections.

VI. For Questions Related to SERFF Filing Procedures, Contact:

Rates, Forms & Provider Networks Help Desk

Washington State Office of the Insurance Commissioner
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(360) 725-7111

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