

May 31, 2022

The Honorable Mike Kreidler
Washington State Office of the Insurance Commissioner
P.O. Box 40258
Olympia, WA 98504-0258

RE: CR-101 – Implementation of E2SHB 1688 (Chapter 263, Laws of 2022) – Balance Billing Protection Act & the Federal No Surprises Act

Dear Commissioner Kreidler:

Thank you for the opportunity to submit comments in support of the proposed CR-101 rulemaking to implement balance billing protections in alignment with the Federal No Surprises Act.

The Patient Coalition of Washington consists of the leading patient advocacy organizations in Washington, joining together to have one voice for better health care. Our coalition supports the agency's plan to revise the Balance Billing Protection Act rules at chapter 284-43B WAC and the Office of the Insurance Commissioner's (OIC) network access rules at chapter 284-170 WAC to be consistent with House Bill 1688, passed by the legislature earlier this year.

We applaud your agency's efforts to address balance billing over the last several years. As you know, it has been virtually impossible for even the savviest patients to protect themselves from surprise medical bills. These protections are especially crucial for patients with serious, chronic conditions, who often must coordinate ongoing care between multiple providers and facilities with frequent lab work, doctor's visits, diagnostics, and other interactions with the health system.

It is for these reasons that our coalition was pleased to support HB 1688 – the effort to expand Washington's Balance Billing Protection Act (BBPA) to align with the federal No Surprises Act (NSA). We believe this streamlined approach will benefit patients by bringing in key patient protections from the NSA and ensuring they do not face barriers or complications as the result of dual regulatory systems.

When every appointment is another opportunity for a new surprise bill and financial hardship, the already exhausting process of managing an illness becomes an even more difficult. We are grateful that the Washington Legislature and Congress have both stepped up to protect patients from this practice. We ask that as you dive into the details of rulemaking you put first the needs of patients and consumers – ensuring that where a lack of alignment between state and federal law still exists, the most consumer-protective policies are relied upon.

If we can be of further assistance, please do not hesitate to contact any of our organizations. For questions or to discuss our comments further, please contact Lucy Culp at lucy.culp@lls.org or Jim Freeburg at jifreeburg@Yahoo.com.

Sincerely,

Patient Coalition of Washington