



# PREPROPOSAL STATEMENT OF INQUIRY

## CR-101 (October 2017) (Implements RCW 34.05.310)

Do **NOT** use for expedited rule making

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STATE OF WASHINGTON  
FILED

DATE: June 30, 2022

TIME: 10:37 AM

WSR 22-14-072

**Agency:** Office of the Insurance Commissioner

**Subject of possible rule making:** To amend or repeal existing rules under subchapter E of WAC chapter 284-180 that affect the revised reporting requirements by the hearings unit for appeals received from small pharmacies regarding reimbursement settlements with pharmacy benefit managers which will be referred to the state Office of Administrative Hearings.

Insurance Commissioner Matter R 2022-07

**Statutes authorizing the agency to adopt rules on this subject:** RCW 48.02.060; RCW 48.200.280 (6); RCW 34.05.485(1)(c); RCW 48.02.100

**Reasons why rules on this subject may be needed and what they might accomplish:** The tier II appeals process of small pharmacy reimbursement settlements with pharmacy benefit manager process has changed such that initial intake of appeals to OIC are no longer handled by OIC's Hearings Unit. The actual review of tier II appeals are conducted by an Administrative Law Judge at the Office of Administrative Hearings. The Small Pharmacy Reimbursement Appeals unit within OIC closed March 2021. These updates are necessary to conform to current procedures for process/review, to update with emphasis on electronic process (versus mailing) and remove the requirement for sensitive information to be filed with an appeal.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** The OIC rule team will seek input and review of draft rule by the Office of Administrative Hearings.

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

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Submit comments by August 15, 2022


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

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 Other:

(If necessary)

Name:  
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 Web site:  
 Other:

Additional comments:

<b>Date:</b> June 30, 2022	<b>Signature:</b> 
<b>Name:</b> Mike Kreidler	
<b>Title:</b> Insurance Commissioner	