

From: [Merlene S Converse](#)
To: [OIC Rules Coordinator](#)
Subject: Comments on pre-publication draft: Statement Required on Consumer Adverse Benefit Determination Notices (R 2022-04)
Date: Thursday, July 14, 2022 10:41:29 AM

External Email

Dear Ms. Maier and rulemaking team,

Thank you for the opportunity to provide comments on the pre-publication draft for the required statement on consumer adverse benefit determination notices (R 2022-04).

Because the main goal of this rulemaking is to simplify language that already exists in adverse benefit determination notices, we ask that the regulation allow flexibility on the timing for the new language to be incorporated into the notices. Some health carriers may be able to implement language earlier than November 1, 2022, and others may need additional time to incorporate the language through their regular IT programming release cycles. We recommend that the introductory language in WAC 284-43-3070 (2)(g) be revised to:

“(g) No later than January 1, 2023, the following statement:”

The OIC could also then amend (2)(f) to allow a carrier to change the language earlier than the comply by date listed in (2)(g) if an earlier time frame works better for their business process.

Thank you for considering this recommendation. Please let us know if you have questions.

Merlene Converse
Senior Regulatory Consultant
Kaiser Foundation Health Plan of the Northwest
Government Relations
500 NE Multnomah Street, Suite 100
Portland, OR 97232
(503) 936-3580 (cell)
Merlene.S.Converse@kp.org

Frankie Kaiser
Regulatory Affairs Consultant
Kaiser Foundation Health Plan of Washington
1300 SW 27th ST
Renton, WA 98057-2435
(206) 635-5974 (cell)
Frankie.E.Kaiser@kp.org

NOTICE TO RECIPIENT: If you are not the intended recipient of this e-mail, you are prohibited from sharing, copying, or otherwise using or disclosing its contents. If you have received this e-mail in error, please notify the sender immediately by reply e-mail and permanently delete this e-mail and any attachments without reading, forwarding or saving them. v.173.295
Thank you.