

November 8, 2023

Washington State Office of the Insurance Commissioner
P.O. Box 40258
Olympia, WA 98504-0260
Submitted via email to: rulescoordinator@oic.wa.gov

Re: Comments on R 2023-07 consolidated health care rulemaking proposed rule

To Whom It May Concern,

Kaiser Foundation Health Plan of the Northwest, Kaiser Foundation Health Plan of Washington, and Kaiser Foundation Health Plan of Washington Options, Inc. (collectively “Kaiser Permanente”), appreciate the opportunity to provide feedback to the Office of the Insurance Commissioner (“OIC”) on the consolidated health care rulemaking proposed regulation (R 2023-07). Kaiser Permanente is an integrated health care system that covers and cares for Washingtonians. We are committed to delivering affordable, coordinated, and high-quality care and coverage that supports not only our members but also the communities we serve.

Thank you for working with stakeholders as you prepared the proposed regulation that addresses the topics of hearing instruments, cost-sharing for abortions, and cost-sharing for diagnostic and supplemental breast examinations. For the most part, the proposed regulation addresses the concerns called out when we reviewed the prepublication draft. We have one remaining concern as it relates to the hearing aid coverage required by RCW 48.43.135.

The underlying law is silent regarding in- and out-of-network coverage for hearing instruments and simply requires the health plan to provide coverage. Not all health plans offered in Washington include an out-of-network tier of coverage for medical services. These plans require enrollees to access non-emergency services from in-network providers. This is a health plan design that helps contain the costs of medical services, which in turn helps lower the overall premium for the plan. Rates for the 2024 plan year did not contemplate that the regulation implementing RCW 48.43.135 would expand the scope of coverage beyond the legislative intent.

We urge the OIC to permit health carriers to apply the same network structure used for the other services covered by the health plan to the benefit design for hearing instrument coverage.

Please do not hesitate to contact us with questions.

Sincerely,



Merlene Converse

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