



November 26, 2024

Nico Janssen & Jane Beyer
Policy & Legislative Affairs Division
Washington Office of the Insurance Commissioner
P.O. Box 40260
Olympia, WA 98504-0260
Submitted via email to: rulescoordinator@oic.wa.gov

Re: Comments regarding the business practices of health care benefit managers and pharmacy benefit managers (CR-102 R 2024)

Dear Mr. Janssen & Ms. Beyer,

On behalf of the Association of Washington Healthcare Plans (AWHP), we appreciate the opportunity to review and provide feedback on the proposed rulemaking for Health Care Benefit Managers (HCBMs). The implementation of the regulatory framework for HCBMs has presented some ongoing challenges, and we acknowledge the OIC's efforts to engage stakeholders and revisit these regulations.

We appreciate the inclusion of the option allowing carriers to provide a consolidated list of all HCBM contracts as an alternative to filing all indirect HCBM contracts (reference below). This approach significantly reduces duplicative efforts and enhances clarity in the submission process. By streamlining regulatory requirements, this method facilitates compliance in a more manageable way. We acknowledge and value the stakeholder feedback emphasizing the need for alternatives to repetitive contract filings and commend the consideration given to addressing these concerns.

WAC 284-180-455 (b) (ii) Identify all contracts to provide health care benefit management services to or on behalf of the carrier, ensure that contracted health care benefit managers have filed all required contracts with the commissioner, whether the health care benefit manager is directly or indirectly contracted with the carrier, as required in RCW 48.200.040 and WAC 284-180-460, and submit to the commissioner, as required by the "Washington State SERFF Carrier Provider Agreement and HCBM Contract Filing General Instructions," as a supporting document to the carrier's filings, a list of all health care benefit manager contracts. The list must include the SERFF tracker identifier for each contract.

While this administrative simplification was added to WAC 284-180-455 regarding carrier filing requirements, we respectfully request it also be incorporated to WAC 284-180-460 for health care benefit manager filings. This addition would similarly minimize duplicative filings and maintain clarity in the submission process, enabling health care benefit managers to streamline their compliance efforts and maintain consistency in meeting regulatory expectations.

We greatly appreciate the OIC's ongoing work on this important rulemaking project and value the opportunity to contribute to the refinement of these regulations. We hope that our comments will assist in making the process more efficient and aligned with the legislative framework. Please feel free to reach out if further discussion or clarification is needed.

Sincerely,

A handwritten signature in cursive script that reads "Pegg Lewis Fu".

Pegg Lewis Fu

Executive Director

Association of Washington Healthcare Plans