

**From:** [Sean Graham](#)  
**To:** [OIC Rules Coordinator](#)  
**Subject:** R 2024-01 / Updates to the BBPA  
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**Attachments:** [image001.png](#)

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External Email

Good morning,

On behalf of the Washington State Medical Association, I am reiterating the concerns we have shared with the proposal to increase arbitration fees under the Balance Billing Protection Act per the CR 102 to R 2024-01.

As we have noted previously in rulemaking hearings and written comments, the fee increases are significant – up to 54 percent for single claim arbitration and up to 88 percent for bundled claims. The proposed rates are also higher than what is in place at the federal under the No Surprises Act.

While other organizations have expressed similar concerns with the proposed rate increases, at no point through the rulemaking process has there been a justification for the rate increases provided or any comments to support or substantiate the need for rate increases. Meanwhile [the list of approved arbitrators on the OIC website](#) continues to be robust.

This arbitration fee increase will necessarily increase health care costs or decrease efficacy of the arbitration process under the BBPA. It's unclear why the OIC continues to advance the fee increase in the absence of any stipulated substantiation or support. WSMA continues to ask that the proposed arbitration rate increases be reconsidered and ideally removed from the draft rule, or at a minimum revised to remain lower than NSA IDR rates.

Thank you and please feel free to let me know if there's additional information I can provide.

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