



September 15, 2020

Mandy Weeks-Green
Senior Health Policy Analyst
Office of the Insurance Commissioner

Via email

Dear Ms. Weeks-Green:

On behalf of APTA Washington (formerly the Physical Therapy Association of Washington), I am providing comments on the Office of the Insurance Commissioner's (OIC) rules proposal, R 2020-04 Health Care Benefit Managers. APTA Washington appreciates the work by you and your team to draft these rules that implement SB 5601, the new law requiring health care benefit managers to register with the OIC. As you know, APTA Washington was part of a coalition of providers that supported and worked to pass SB 5601 into law.

WAC 284-180-240 Registration Information

APTA Washington supports the language in this section that outlines what information must be included in a health care benefit manager's registration application. This list captures all the relevant information necessary to conduct business with the health care benefit manager. Specifically, we support the inclusion of the name and contact information for the person responsible for compliance with state and federal laws.

Comments received during September 9th stakeholder meeting

During the September 9, 2020 stakeholder meeting, some insurers expressed confusion over this statutory definition of a health care benefit manager established in SB 5601:

"Health care benefit manager" means a person or entity providing services to, or acting on behalf of, a health carrier or employee benefits programs, that directly or indirectly impacts the determination or utilization of benefits for, or patient access to, health care services, drugs, and supplies including, but not limited to..."

Insurers cited confusion regarding how "directly or indirectly" impacting benefit determinations" should be interpreted. This definition was discussed repeatedly during the stakeholder negotiations during the 2020 legislative session. The intent of the definition is to be broad to include all entities that perform services on behalf of a regulated insurance carrier that affect patient care and access to health plan benefits.

Again, thank you for the opportunity to comment on these proposed rules. We look forward to working with the OIC as these rules progress through the rule-making process.

Sincerely,

A handwritten signature in cursive script that reads "Meryl R. Gersh". The signature is written in black ink on a light-colored background.

Meryl Gersh, PT, PhD
President