



# PROPOSED RULE MAKING

## CR-102 (August 2017) (Implements RCW 34.05.320)

Do NOT use for expedited rule making

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: September 13, 2017

TIME: 12:04 PM

WSR 17-19-054

**Agency:** Office of the Insurance Commissioner

☒ **Original Notice**

☐ **Supplemental Notice to WSR** \_\_\_\_\_

☐ **Continuance of WSR** \_\_\_\_\_

☒ **Preproposal Statement of Inquiry was filed as WSR** 17-15-085 ; or

☐ **Expedited Rule Making--Proposed notice was filed as WSR** \_\_\_\_\_; or

☐ **Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).**

☐ **Proposal is exempt under RCW** \_\_\_\_\_.

**Title of rule and other identifying information:** (describe subject) K-12 Study Elimination (Insurance Commissioner Matter No. R 2017-09)

### Hearing location(s):

Date:	Time:	Location: (be specific)	Comment:
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October 24, 2017	1:00 p.m.	Office of the Insurance Commissioner, Training Room, TR 120, 5000 Capitol Blvd. SE, Tumwater, WA 98504	
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**Date of intended adoption:** October 27, 2017 (Note: This is **NOT** the effective date)

### Submit written comments to:

Name: Stacy Middleton

Address: PO Box 40260 Olympia WA 98504

Email: rulescoordinator@oic.wa.gov

Fax: 360-586-3109

Other: 360-725-9651

By (date) October 23, 2017

### Assistance for persons with disabilities:

Contact Lorie Villafores

Phone: 360-725-7087

Fax: 360-582-3109

TTY: 360-586-0241

Email: rulescoordinator@oic.wa.gov

Other: stacym@oic.wa.gov

By (date) October 23, 2017

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:** HB 1042 (2017) repeals RCW 48.02.210 and 48.62.181 as well as amending RCW 28A.400.275 to remove references to an annual report of school district employee health insurance benefits by the office of the insurance commissioner. Implementation of HB 1042, as adopted by the legislature, means that OIC will need to repeal Chapter 284-198 WAC.

<b>Reasons supporting proposal:</b> This proposed rule brings OIC rules into compliance with HB 1042 (passed in 2017).			
<b>Statutory authority for adoption:</b> RCW 48.02.060			
<b>Statute being implemented:</b> HB 1042 (2017)			
<b>Is rule necessary because of a:</b> <div style="display: flex; justify-content: space-between; margin-top: 10px;"> <div>           Federal Law?            Federal Court Decision?            State Court Decision?         </div> <div style="text-align: right;"> <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No  <input type="checkbox"/> Yes   <input checked="" type="checkbox"/> No         </div> </div> If yes, CITATION:			
<b>Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:</b>			
<b>Name of proponent:</b> (person or organization) Mike Kreidler, Insurance Commissioner			<input type="checkbox"/> Private <input type="checkbox"/> Public <input checked="" type="checkbox"/> Governmental
<b>Name of agency personnel responsible for:</b>			
	Name	Office Location	Phone
Drafting:	Stacy Middleton	302 Sid Snyder Ave., Olympia, WA 98504-0260	360-725-9651
Implementation:	AnnaLisa Gellermann	302 Sid Snyder Ave., Olympia, WA 98504-0260	360-725-7037
Enforcement:	Toni Hood	5000 Capitol Blvd., Tumwater, WA 98504-0255	360-725-7050
<b>Is a school district fiscal impact statement required under RCW 28A.305.135?</b>			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If yes, insert statement here: <div style="margin-top: 20px;">           The public may obtain a copy of the school district fiscal impact statement by contacting:            Name:            Address:            Phone:            Fax:            TTY:            Email:            Other:         </div>			
<b>Is a cost-benefit analysis required under RCW 34.05.328?</b>			
<input type="checkbox"/> Yes: A preliminary cost-benefit analysis may be obtained by contacting: Name: Address: Phone: Fax: TTY: Email: Other:			
<input checked="" type="checkbox"/> No: Please explain: HB 1042 (2017) specifically repeals RCW sections to which Chapter 284-198 WAC refers. As such, the repeal of this section is necessitated by statute and thus a CBA is not required as per RCW 34.05.328 (5)(b)(iii).			

**Regulatory Fairness Act Cost Considerations for a Small Business Economic Impact Statement:**

This rule proposal, or portions of the proposal, **may be exempt** from requirements of the Regulatory Fairness Act (see chapter 19.85 RCW). Please check the box for any applicable exemption(s):

☐ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.061 because this rule making is being adopted solely to conform and/or comply with federal statute or regulations. Please cite the specific federal statute or regulation this rule is being adopted to conform or comply with, and describe the consequences to the state if the rule is not adopted.

Citation and description:

☐ This rule proposal, or portions of the proposal, is exempt because the agency has completed the pilot rule process defined by RCW 34.05.313 before filing the notice of this proposed rule.

☐ This rule proposal, or portions of the proposal, is exempt under the provisions of RCW 15.65.570(2) because it was adopted by a referendum.

☒ This rule proposal, or portions of the proposal, is exempt under RCW 19.85.025(3). Check all that apply:

☐ RCW 34.05.310 (4)(b)  
(Internal government operations)

☒ RCW 34.05.310 (4)(e)  
(Dictated by statute)

☐ RCW 34.05.310 (4)(c)  
(Incorporation by reference)

☐ RCW 34.05.310 (4)(f)  
(Set or adjust fees)

☐ RCW 34.05.310 (4)(d)  
(Correct or clarify language)

☐ RCW 34.05.310 (4)(g)  
((i) Relating to agency hearings; or (ii) process requirements for applying to an agency for a license or permit)

☐ This rule proposal, or portions of the proposal, is exempt under RCW \_\_\_\_.

Explanation of exemptions, if necessary:

**COMPLETE THIS SECTION ONLY IF NO EXEMPTION APPLIES**

If the proposed rule is **not exempt**, does it impose more-than-minor costs (as defined by RCW 19.85.020(2)) on businesses?

☐ No Briefly summarize the agency's analysis showing how costs were calculated. \_\_\_\_\_

☐ Yes Calculations show the rule proposal likely imposes more-than-minor cost to businesses, and a small business economic impact statement is required. Insert statement here:

The public may obtain a copy of the small business economic impact statement or the detailed cost calculations by contacting:

Name:  
Address:  
Phone:  
Fax:  
TTY:  
Email:  
Other:

**Date:** September 13, 2017

**Name:** Mike Kreidler

**Title:** Insurance Commissioner

**Signature:**



REPEALER

The following chapter of the Washington Administrative Code is repealed:

WAC 284-198-001	Scope.
WAC 284-198-005	Definitions.
WAC 284-198-010	Acknowledgment.
WAC 284-198-020	Survey instrument.
WAC 284-198-025	Submission.
WAC 284-198-030	Resubmission.
WAC 284-198-035	Validation.
WAC 284-198-040	Data retention.
WAC 284-198-045	Data fields.
WAC 284-198-050	Contact person.
WAC 284-198-055	Health plan data needed by school districts—Association health plans.