

Essential Health Benefits and the new base-benchmark plan

Why is the Office of the Insurance Commissioner working on this rule?

When the health reform law began, Health and Human Services (“HHS”) asked each state to identify a “base-benchmark” health plan, a process that made it possible for each state to customize the ACA-required Essential Health Benefits (“EHBs”) to fit its needs.

HHS planned to develop its own EHB standards by 2016, which would set uniform, mandatory standards that would apply to all states. However, HHS recently decided to extend the base-benchmark approach, and has ordered all states to select more recent plans and revise their state regulations accordingly.

How did the OIC select the new base-benchmark plan?

Under HHS requirements, states must identify which health plan was the largest small group plan at the end of the first quarter of 2014, and the OIC’s research indicates that this is the Regence Direct Gold Plus plan. To get a copy of this plan, enter [OIC’s filing search page](#). After you enter the search page, you’ll see a box on the right-hand side that says “Form Number.” Enter WW0114BPPO1SD and hit the search button. The search should return three filings. Click on the one that says **SERFF Tracker ID: RGWA-128968362**.

What’s the scope of the OIC’s proposed activity for this rule?

OIC staff are reviewing the Regence Direct Gold + plan to make sure that it contains all of the EHBs, and are determining whether the federal government has implemented any additional EHB coverage requirements in the time since the OIC originally issued the EHB rule.

When will the OIC finish this rule?

HHS requires all states to have their new Essential Health Benefits rules in place by September 30th, 2015, so the OIC’s rule will go into effect before then.

Can I meet with the OIC one-on-one to discuss this rule?

The OIC isn’t scheduling one-on-one meetings with stakeholders regarding this rule. However, stakeholders are welcome to submit written comments to the [OIC Rules Coordinator](#).

In addition, the OIC will hold a meeting for all interested stakeholders on June 30th from 1:30 to 2:30 p.m. at the OIC headquarters (5000 Capitol Boulevard, Tumwater, WA 98504).

Applicable laws and regulations

Federal regulation: [45 CFR 156](#)

State law: [RCW 48.43.715\(1\)](#)

State rule designating base benchmark plan: [WAC 284-43-865](#)

Essential Health Benefits WAC sections ([284-43-877](#), [284-43-878](#), [284-43-879](#) and [284-43-880](#))