

WSR 21-03-008
PERMANENT RULES
OFFICE OF THE
INSURANCE COMMISSIONER

[Filed January 7, 2021, 6:02 p.m., effective February 7, 2021]

Effective Date of Rule: Thirty-one days after filing.

Purpose: Filing of plans for coverage supplementing medicare Part D coverage provided through a federally authorized employer group waiver plan.

Citation of Rules Affected by this Order: Amending WAC 284-58-030.

Statutory Authority for Adoption: RCW 48.02.060, 48.18.030, 48.19.035, 48.20.025, 48.20.550, 48.38.075, 48.43.730, 48.43.733, 48.44.050, and 48.46.030.

Adopted under notice filed as WSR 20-23-037 on November 10, 2020.

Changes Other than Editing from Proposed to Adopted Version: There is one nonsubstantive change to the supplemental CR-102 proposed rule text. To correct a grammatical error, the word "supplements" was revised to read "supplement" in the final CR-103 adopted text.

A final cost-benefit analysis is available by contacting Tabba Alam, P.O. Box 40260, Olympia, WA 98504-0260, phone 360-725-7170, email TabbaA@oic.wa.gov, website www.insurance.wa.gov.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 1, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 0, Repealed 0.

Date Adopted: January 7, 2021.

Mike Kreidler
Insurance Commissioner

OTS-2728.2

AMENDATORY SECTION (Amending WSR 20-01-048, filed 12/9/19, effective 1/9/20)

WAC 284-58-030 General form and rate filing rules. (1) Each credit, life or disability insurance form or rate filing must be submitted to the commissioner electronically using SERFF.

(a) Every form filed in SERFF must be attached to the form schedule.

(b) Filers must send all written correspondence related to a form or rate filing in SERFF.

(2) All filed forms must be legible for both the commissioner's review and retention as a public record. Filers must submit new or revised forms to the commissioner for review in final form displayed in ten-point or larger type.

(3) Filers must submit complete filings that comply with the *SERFF Industry Manual* available within the SERFF application and state specific filing instructions applicable to the particular filing, as revised from time to time and posted on the commissioner's website (www.insurance.wa.gov), including the:

(a) *Washington State SERFF Life and Disability Form Filing General Instructions*;

(b) *Washington State SERFF Life, Health and Disability Rate Filing General Instructions*;

(c) *Washington State SERFF Health and Disability Form Filing General Instructions*; and

(d) *Washington State SERFF Health and Disability Binder Filing General Instructions* (also called "plan management instructions").

(4) Filers must submit separate filings for each type of insurance. This section does not apply to:

(a) Credit insurance filings made under RCW 48.34.040; or

(b) Group insurance where different types of insurance are incorporated into a single certificate.

(5) All stand-alone prescription drug plans which exclusively supplement a medicare Part D employer group waiver plan and modification of a contract form or rate must be filed before the contract form is offered for sale to the public and before the rate schedule is used.

[Statutory Authority: RCW 48.02.060, 48.18.030, 48.19.035, 48.20.025, 48.20.550, 48.38.075, 48.43.730, 48.43.733, 48.44.050, and 48.46.030. WSR 20-01-048 (Matter No. R 2019-06), § 284-58-030, filed 12/9/19, effective 1/9/20. Statutory Authority: RCW 48.02.060, 48.44.050, 48.46.200, and 48.110.150. WSR 12-01-103 (Matter No. R 2011-24), § 284-58-030, filed 12/21/11, effective 1/21/12. Statutory Authority: RCW 48.02.060, 48.110.150. WSR 08-21-091 (Matter No. 2007-11), § 284-58-030, filed 10/15/08, effective 2/1/09. Statutory Authority: RCW 48.02.060, 48.44.050, 48.46.200, 48.18.100, 48.19.040, 48.19.050, 48.19.070, 48.20.012, 48.21.045(2), 48.29.140, 48.43.055, 48.44.023(2), 48.44.040, 48.44.070, 48.46.030, 48.46.060, 48.46.066(2), 48.46.243, 48.96.025, 48.102.020. WSR 96-11-004 (Matter No. R 96-1), § 284-58-030, filed 5/2/96, effective 6/2/96. Statutory Authority: RCW 48.02.060. WSR 82-23-009 (Order R 82-5), § 284-58-030, filed 11/5/82.]