

**WSR 22-14-072  
PREPROPOSAL STATEMENT OF INQUIRY  
OFFICE OF THE  
INSURANCE COMMISSIONER**

[Insurance Commissioner Matter No. R 2022-07—Filed June 30, 2022, 10:37 a.m.]

Subject of Possible Rule Making: To amend or repeal existing rules under subchapter E of chapter 284-180 WAC that affect the revised reporting requirements by the hearings unit for appeals received from small pharmacies regarding reimbursement settlements with pharmacy benefit managers which will be referred to the state office of administrative hearings (OAH).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 48.02.060, 48.200.280(6), 34.05.485 (1)(c), 48.02.100.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The tier II appeals process of small pharmacy reimbursement settlements with pharmacy benefit manager process has changed such that initial intake of appeals to the office of the insurance commissioner (OIC) are no longer handled by OIC's hearings unit. The actual review of tier II appeals are conducted by an administrative law judge at OAH. The small pharmacy reimbursement appeals unit within OIC closed March 2021. These updates are necessary to conform to current procedures for process/review, to update with emphasis on electronic process (versus mailing) and remove the requirement for sensitive information to be filed with an appeal.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: OIC rule team will seek input and review of draft rule by OAH.

Process for Developing New Rule: Submit comments by August 15, 2022.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Barb Jones, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-7041, fax 360-586-3109, TTY 360-586-0241, email [rulescoordinator@oic.wa.gov](mailto:rulescoordinator@oic.wa.gov), website [www.insurance.wa.gov](http://www.insurance.wa.gov).

June 30, 2022  
Mike Kreidler  
Insurance Commissioner