

WSR 21-14-063
PREPROPOSAL STATEMENT OF INQUIRY
OFFICE OF THE
INSURANCE COMMISSIONER

[Insurance Commissioner Matter R 2021-09—Filed July 2, 2021, 10:37 a.m.]

Subject of Possible Rule Making: Administrative hearings.

Statutes Authorizing the Agency to Adopt Rules on this Subject:
RCW 34.05.220 (1)(a), 34.05.250, 34.05.446(2), and 48.02.060 (3)(a).

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The commissioner is considering this rule making to improve administrative hearings, discovery, and service processes. WAC 284-02-070 incorporates by reference many of the civil discovery rules for administrative hearings. This creates several problems, where parties propound discovery without justifying the same with the presiding officer. This results in the office of the insurance commissioner (OIC) receiving overly broad discovery requests that do not provide any commensurate benefit to the administrative hearing process and can delay proceedings or obstruct agency action. Additionally, OIC is currently required to reach electronic service agreements on a case-by-case basis with all opposing parties. The purposes of this rule making are to optimize discovery, such as limiting depositions, interrogatories, requests for production, and requests for admissions, and allow electronic service in all OIC hearings, in the interest of avoiding delays and achieving administrative efficiencies.

Process for Developing New Rule: Submit written comments by July 28, 2021.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Michael Walker, 302 Sid Snyder Avenue S.W., Olympia, WA 98504, phone 360-725-7036, fax 360-586-3109, TTY 360-586-0241, email rulescoordinator@oic.wa.gov, website www.insurance.wa.gov.

July 2, 2021
Mike Kreidler
Insurance Commissioner