



# PREPROPOSAL STATEMENT OF INQUIRY

**CR-101 (June 2004)**  
(Implements RCW 34.05.310)  
Do NOT use for expedited rule making

**Agency:** Administrative Order #11-02 – Health Care Authority – Public Employee’s Benefits Board (PEBB)

**Subject of possible rule making:** PEBB rules related to enrollment in chapter 182-08 WAC; eligibility in chapter 182-12 WAC; and appeals in chapter 182-16 WAC.

**Statutes authorizing the agency to adopt rules on this subject:** RCW 41.05.160

**Reasons why rules on this subject may be needed and what they might accomplish:**

The main purpose of this rulemaking is to amend PEBB rules in Title 182 WAC and adopt new rules to:

1. Provide clarification around:
  - a. Administration of premium refunds.
  - b. Administration of the medical flexible spending arrangement in order to implement a health savings account.
  - c. Health plan enrollment for employees who do not select a medical or dental plan.
  - d. The date coverage will be waived for employees who waive medical coverage.
  - e. Aligning the titles of 182-12-131 and 182-12-141 to be more congruent with the content.
  - f. The requirement for retirees to maintain dental enrollment for two years.
  - g. The requirement for providing notice of dependents’ loss of eligibility.
  - h. When the employer contribution toward Long-Term Disability insurance ends.
  - i. Administration of retroactive eligibility changes, including changes necessary to implement federal regulation around rescissions of coverage.
2. Implement PEB Board policy regarding dependent eligibility.
3. In addition, HCA will conduct a full review of PEBB Program rules in these chapters and make changes as necessary to provide technical corrections and to comply with federal regulation around rescissions of coverage.

**Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:** N/A

**Process for developing new rule (check all that apply):**

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe) Stakeholder mailing and public hearing.

**How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:**

Individuals wishing to receive PEBB rule making notices are encouraged to join our LISTSERV, PEBB-RULE-MAKING-NOTICE, via this link <http://listserv.wa.gov/archives/pebb-rule-making-notice.html> or by logging on to listserv.wa.gov and selecting our LISTSERV from the Public E-mail List.

If you have questions about this rulemaking, contact Barbara Scott at (360) 923-2642 or Shelli Lackey at (360) 923-2643 or at the address below.

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**DATE**  
June 1, 2011

**NAME (TYPE OR PRINT)**  
Jason Siems

**TITLE**  
Rules Coordinator

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**WSR 11-12-081**