

Title: Required appeals related documents when the PEBB Program conducts a brief adjudicative proceeding

PEBB Program Administrative Policy 60-1

Contact:	Policy and Rules Coordinator, ERB Division	Effective:	January 1, 2023 36
Associated RCW:	34.05.410 34.05.482 41.05.008 41.05.021	Owner:	Policy, Rules, & Compliance Manager, ERB Division
Associated PEB Board Policy Resolutions:		Approved by:	
Associated WAC:	182-16-2000 182-16-2010 182-16-2020 182-16-2030 182-16-2050 182-16-2070 182-16-2090	Position:	Director of the PEBB Program
Assoc. fed law/reg:		Date approved:	
Associated Forms & Communication			

Purpose:

This policy clarifies what particular documents are required from an employing agency or ~~third-party administrator~~ [contracted vendor](#) when the Public Employees Benefits Board (PEBB) Program is conducting a brief adjudicative proceeding at the request of one of its employees or subscribers.

Policy:

1. When the PEBB Appeals Unit receives a request for a brief adjudicative proceeding from an employee of an employing agency or subscriber of a ~~third-party administrator~~ [contracted vendor](#), the PEBB Appeals Unit has 10 ~~business—calendar~~ days from [when the presiding officer](#) receives ~~ing the notice contents of the request for a brief adjudicative proceeding~~ [appeal to gather the needed information and](#) to make a decision. This 10-~~business calendar~~ day timeline requires good information upfront so a quality decision can be made.
2. Once a request for a brief adjudicative proceeding is received by the PEBB Appeals Unit from an employee [or subscriber](#), it is analyzed for completeness. Often, important information is missing that is needed by the PEBB Appeals Unit to make an informed decision. When this happens the PEBB Appeals Unit contacts the employing agency or ~~third-party administrator~~ [contracted vendor](#) and requests the missing information. It is important that the information is provided by the employing agency or ~~third-party administrator~~ [contracted vendor](#) no later than two business days after the request so the appeal can be heard in a timely manner.

3. Many requests for brief adjudicative proceedings require the same type of information, such as documentation, or reference to documentation, of decisions previously rendered through the appeal process. Table 60-1 below contains some of the more common brief adjudicative proceedings that are conducted by the PEBB Appeals Unit and the type of information or documents that should be automatically sent by the employing agency or ~~third-party administrator~~ contracted vendor. While this is not a complete list for every circumstance, and the PEBB Appeals Unit may require additional documentation that must be provided under the timelines established in section 2, it does contain the most commonly needed information and documents.

Type of Brief Adjudicative Proceeding	Documents to Send
Waive medical	<ul style="list-style-type: none"> - Generally, any supporting documents that support the employing agency's decision to deny the request. - Specifically, notices of eligibility, including when and how sent; date stamped enrollment forms.
Plan change request	<ul style="list-style-type: none"> - Enrollment forms (date stamped), if any.
Surcharge appeal	<ul style="list-style-type: none"> - Current attestation form, if any. - If by default, notices of eligibility, including when and how sent; date stamped enrollment forms, if any. - If they wrongly attested by mistake, the attestation, if available.
Subscriber states they moved and didn't receive notice	<ul style="list-style-type: none"> - Date subscriber moved and when (if) they changed their address with employer.
Enrolling dependent	<ul style="list-style-type: none"> - If subscriber is defaulted, notices of eligibility, including when and how sent. - Did employing agency advise employee of need to provide dependent verification documents?
Change in plan due to Special Open Enrollment (SOE)	<ul style="list-style-type: none"> - Document(s) that supports having a SOE. - Date stamped enrollment forms requesting the change.

Table 60-1