

**Washington State Health Benefit Exchange Comments on the Office of the Insurance Commissioner's  
CR-102 (Implementing RCW 34.05.320)**

**Certification of pediatric dental benefits in stand-alone dental plans**

The Washington Health Benefit Exchange (WAHBE) hereby respectfully submits comments to the Washington State Office of the Insurance Commissioner (OIC) on the March 5, 2014 proposed rule requiring stand-alone dental plans outside the Exchange that include pediatric dental benefits to be certified as qualified health plans.

Generally, federal regulations require that all individual and small group health plans offered outside the Exchange must include all ten essential health benefits (EHBs). The regulations grant one exception – health plans in the outside market may exclude the pediatric dental EHB if a carrier has reasonable assurance that the enrollee has other pediatric dental coverage under a certified qualified dental plan (QDP). In Washington, the certification process for QDPs is led by the Exchange and requires a plan to meet ten certification criteria. Five of these criteria are monitored by the Exchange and five by the OIC. After those criteria are satisfied, the Exchange Board is responsible for certifying each QDP.

The Exchange Board is able to provide certification as a qualified dental plan only to stand-alone dental plans that will be offered inside the Exchange. WAHBE understands that the OIC is bound by federal regulation to require that stand-alone dental plans in the outside market offering the pediatric dental EHB also be certified as QDPs.

Therefore, WAHBE requests that, for plans offered in 2015, the Exchange and the OIC work together through the certification process for stand-alone dental plans, with the final certification decision to be delegated by the Exchange to the OIC. WAHBE requests that the Exchange and the OIC revisit this issue in future years.

WAHBE is committed to working with the OIC to reach a mutually-acceptable solution. WAHBE is available and looks forward to responding to any questions about these comments. You may contact Christine Gibert, Senior Policy Analyst, at 360.688.7773 or [christine.gibert@wabhexchange.org](mailto:christine.gibert@wabhexchange.org).