


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

**PEBB Program Administrative Policy 60-1**

<b>Contact:</b>	Policy and Rules Coordinator, ERB Division	<b>Effective:</b>	January 1, 2023
<b>Associated RCW:</b>	34.05.410 34.05.482 41.05.008 41.05.021	<b>Owner:</b>	Policy, Rules, & Compliance Manager, ERB Division
<b>Associated PEB Board Policy Resolutions:</b>		<b>Approved by:</b>	
<b>Associated WAC:</b>	182-16-2000 182-16-2010 182-16-2020 182-16-2030 182-16-2050 182-16-2090	<b>Position:</b>	Director of the PEBB Program
<b>Assoc. fed law/reg:</b>		<b>Date approved:</b>	August 24, 2022
<b>Associated Forms &amp; Communication</b>			

**Purpose:**

This policy clarifies what particular documents are required from an employing agency or third-party administrator 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, the PEBB Appeals Unit has 10 business days from receiving the notice of appeal to gather the needed information and to make a decision. This 10 business 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, 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 and requests the missing information. It is important that the information is provided by the employing agency or third-party administrator 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. 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. 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.

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

Table 60-1