From:	Johns-Brown, Lonnie (OIC)
To:	Mele-Hetter, Catherine (DFI); Anderson, Faith (DFI); Vallely, Jill (DFI); Beatty, Bill (DFI)
Cc:	McKinnon, Carolyn (COM)
Subject:	DFI and Commerce proposed rules for 5826
Date:	Thursday, February 18, 2016 11:51:22 AM
Attachments:	image001.png

Good morning!
I am in writing this morning, in the hopes of clearing up the confusion I caused last week between the DFI and Commerce Rules for implementation of SB 5826.

The proposed DFI rule does refer to OIC verifying plans. However, it is clear now that the language is in DFI's proposal because it is referring to the DOC rule, which is where our concern originally arose. We believe that DFI could remove the reference to OIC in their proposed rules without changing the substance and meaning of the rule.

Section 208-710-010 reads in part:

"The department of commerce will approve retirement plans for inclusion…provide that either the Washington department of financial institutions or the Washington office of the insurance commissioner has verified that the retirement plan…."

Rather than spell out what the Department of Commerce rule says, they could just say "the department of commerce will approve plans for inclusion pursuant to its rules in WAC###. That way, the DFI rule would correctly refer to the Commerce approval process and if Commerce changes their rule to remove the OIC reference, DFI won't have to later change their rule to match.

Catherine, since OIC will be continuing to work with Commerce regarding our concern with their rule , I hope DFI will see the suggestion above as not substantially changing the purpose of the DFI rule, but instead, saving some time, and effort, as we continue to work on the language change with Commerce.

Let me know your thoughts, and thanks for your patience, Catherine! I just had to put this on hold until after the cutoff!

Best regards,
Lonnie

OFFICE of the INSURANCE COMMISSIONER WASHINGTON STATE

Lonnie Johns-Brown
Legislative Director
Policy and Legislative Affairs Division
Washington State Office of the Insurance Commissioner
360-725-7101
lonniej@oic.wa.gov

Protecting Insurance Consumers

www.insurance.wa.gov | twitter.com/WA_OIC | wainsurance.blogspot.com | email/text alerts