



STATE OF WASHINGTON  
DEPARTMENT OF HEALTH  
Prevention and Community Health  
Post Office Box 47830  
Olympia, Washington 98504-7830  
711 Washington Relay Service

February 10, 2022

Julia W. Zell  
Executive Director  
Washington Vaccine Association  
PO Box 94002  
Seattle, WA 98124-9402

Re: Washington Vaccine Association Assessments

Dear Ms. Zell,

The Washington State Department of Health (DOH) understands that the Washington Vaccine Association (“WVA”) has received questions from some licensed health carriers and third-party administrators (“Commercial Payers”) about the applicability of the WVA’s assessment authority to pediatric health plan members where the terms of the health plan coverage include patient responsibility for cost sharing or, in some cases, no coverage for vaccines. This letter sets forth DOH’s position with respect to the requirements of Chapter 70.290 RCW (“WVA Act”), which established the WVA and sets forth its assessment authority and duties. We appreciate the opportunity to address this issue for this important public health program.

The Washington State Childhood Vaccine Program (the “Program”) provides state purchased vaccines to enrolled providers for all Washington children less than 19 years of age. The Program supplies all vaccines recommended by the Advisory Committee on Immunization Practices and eliminates or reduces cost barriers to receiving vaccinations. The Program is intended to achieve various public health benefits, including providing vaccines at no cost to vaccine recipients which is intended to increase immunization rates.

The WVA was formed pursuant to the WVA Act for the purpose of collecting funds from Commercial Payers to adequately fund the cost of vaccines provided by the Program for children in Washington State not eligible for federal or state vaccine funding. The WVA Act requires that each Commercial Payer on behalf of its clients’ health benefit plans be assessed by the WVA and timely remit payment based on actual usage of vaccine by the Commercial Payers’ covered lives. The WVA establishes an assessment amount for each vaccine dose (the “Vaccine Assessment Grid”). The definitions of the WVA Act apply broadly to all Commercial Payers’ health benefit plans including self-insured employer plans and so-called “grandfathered plans” under the Affordable Care Act.

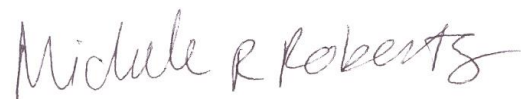
The assessment mechanism adopted by the WVA and approved by the Secretary of Health operates through submission of a form similar to a standard health care claim form for each health plan pediatric covered life who receives a vaccine supplied by the Program. This mechanism is called a Dosage-Based Assessment (“DBA”). The DBA form assesses the Commercial Payers based on the vaccine assessment rates established annually by the WVA’s Vaccine Assessment Grid. These rates are typically amounts lower than corresponding market prices for vaccine material.

The assessment rates are applicable to Commercial Payers based on vaccines obtained free of charge from Program-contracted providers and administered to their respective covered lives. Commercial Payers are subject to the DBA made under the WVA Act irrespective of the vaccine recipient’s benefit design. The DBA must be paid in full by the Commercial Payer, resulting in no cost sharing borne by the recipient, where the recipient is eligible for coverage under the Commercial Payer’s health benefit plan.

Failure to pay the WVA assessments in full may result in interest at an annual rate of 12%, an audit by the WVA at Commercial Payer expense, and the imposition of a civil penalty by the Department under RCW 70.290.060 and Chapter 246-120 WAC. Collection costs and attorney’s fees, together with a civil penalty of 150% of the delinquent assessments, may be recovered by the WVA and the Secretary of Health.

We trust this responds to the questions raised by Commercial Payers. You may provide a copy of this letter to third parties and members of the public.

Sincerely,



Michele Roberts, MPH, MCHES  
Acting Assistant Secretary  
Prevention and Community Health Division  
Secretary of Health’s Designee to the WVA Board of Directors