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 (3)The following minimum standards apply to establish adequate qualified health plan inclusion of essential community providers:

 (b)~~The~~ Each issuer~~'s provider network~~ must offer ~~include access~~ to contract with one hundred percent of Indian health care providers ~~in a service area~~, as defined in WAC 284-43-130(17), in their service areas ~~such that qualified enrollees obtain all covered services at no greater cost than if the service was obtained from network providers or facilities~~;

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**CR 102 LANGUAGE**

 (5)An Each issuer must~~, at the request of an Indian health care provider,~~ offer to contract with such a provider to reimburse covered health care services delivered to qualified enrollees under an issuer's health plan.

 (a)Issuers are ~~encouraged~~ expected to use the current version of the Washington State Indian Health ~~Plan~~ Care Provider Addendum, as posted on http://www.insurance.wa.gov and http:// [www.aihc-wa.com,](http://www.aihc-wa.com/) to supplement existing provider contracts when contracting with an Indian health care provider.

 (b)If an Indian health care provider requests a contract and a contract is not entered into, the issuer must provide substantial evidence of good faith efforts on its part to contract with the Indian health care provider. ~~Such evidence of good faith efforts to contract will include documentation about the efforts to contract but not the substantive contract terms offered by either the issuer or the provider.~~ To be offered in good faith, a contract should offer terms that a willing, similarly situated, non-essential community provider would accept or has accepted.

 (c)If an issuer does not use the Washington State Indian Health Care Provider Addendum, the issuer must demonstrate how they will comply with federal law governing contracts with Indian health care providers.