

SSB 5351 COLLABORATIVE

October 30, 2025 9:00am – 4:00pm
WA State Capitol - Legislative Building
Columbia Room

1

Meeting Goals

- Begin to get to know one another in the context of this group and develop common understanding of purpose, roles, and responsibilities of the SSB 5351 Collaborative
- Hear convening assessment findings and create shared understanding about what it means to participate in a collaborative process
- Review, discuss, agree on operating procedures including roster, agreements (attached), key process elements
- Hear presentation on, and begin to create shared understanding about, dental loss ratio
- Identify what other info is needed about dental loss ratio to ensure enough shared understanding to enable productive dialogue and problem solving
- Discuss draft schedule/workplan, including potential approach to reimbursement issues

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Meeting Agenda

<p>8:30am Coffee and Snacks</p> <p>9:00am Welcome and Introductions</p> <p>9:30am Purpose and Goals of this Collaborative</p> <p>9:40am Fundamentals of a Collaborative Process</p> <p>10:00am Convening Assessment Findings</p> <p>10:30am BREAK</p> <p>10:45am Review, Discuss, and Agree of Key Process Elements</p> <p>11:45am BREAK FOR LUNCH</p>	<p>1:15pm Level-Setting: Presentation on Dental Loss Ratio</p> <p>2:00pm Level-Setting: Group Discussion on Dental Loss Ratio</p> <p>3:15pm Draft Workplan, Action Items, and Next Steps</p> <p>3:40pm Closing and Reflection</p> <p>4:00pm ADJOURN</p>
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DRAFT Discussion Groundrules (aka Group Agreements)

Be Respectful

- One person speaks at a time: listen when others are speaking, avoid interrupting and side conversations.
- Keep comments brief so everyone gets a chance to share their thoughts. Avoid dominating the discussion.
- **Hear and respect all opinions. Practice active listening – listening to understand, rather than to respond.**
- Silence cell phones and refrain from using laptops during the meeting, except to take notes.
- Make every effort to attend in person (virtual attendees are not guaranteed equal participation).

Be Constructive

- Acknowledge: all participants bring with them legitimate purposes, goals, concerns and interests, whether or not you are in agreement with them.
- Openly explore issues.
- **Act in "good faith," seeking to resolve conflicts and identify solutions.** Come with the sense that this is a gathering of bright minds working toward a common goal.
- State concerns & interests clearly, **listen carefully to & assume the best in others. Leave negative assumptions and attitudes at the door.**
- Ask pertinent questions and educate oneself (and those you represent) about the interests and needs that must be addressed in a problem-solving atmosphere.

- Share comments that are **solution focused**, rather than repeating past discussions
- **It is OK to disagree; it is not OK to make personal attacks or slanderous statements.**
- Minimize the use of jargon and acronyms, define and explain when used.
- **Commit to fully exploring the issues and searching for creative solutions that best serve the parties' mutual interests in addition to those of the constituents that each caucus represents**
- Work towards consensus.
- Be willing to compromise.
- Ask for clarification when uncertain of what another person is saying.
- Ask questions rather than make assumptions.

Be Productive

- Begin and end meetings on time.
- Respect time constraints.
- Adhere to agenda as much as possible, focusing on subject at hand.
- Indicate to the facilitator/s when they wish to make a comment and be acknowledged before speaking.
- Volunteer for the tasks at hand, as appropriate.
- Proactively **communicate to constituents** the progress of the Collaborative, including emerging decisions and agreements of the Collaborative and the context or rationale for them.

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SSB 5351:

The Washington State Legislature, via Substitute Senate Bill 5351, directed the office of the insurance commissioner to "contract with the William D. Ruckelshaus Center to:

Design, convene, and facilitate a collaborative forum with participation from:

- The Washington state dental association;
- A representative of the Washington dentist association;
- Dental insurance carriers, including those carriers with a significant commercial market share in Washington state;
- Consumer representatives;
- The office of the insurance commissioner; and
- *Other relevant interested organizations as appropriate;*

Facilitate discussions to address issues related to:

1. **Dental loss ratio;** and
2. **Relative payment for dentists or denturists based upon their provider network status** including, but not limited to, payment based on the usual and customary rate; and

The William D. Ruckelshaus Center shall:

- **Provide quarterly progress updates to legislative members** designated by the chairs of the appropriate legislative committees;
- **Submit a final report, summarizing findings, areas of agreement, and recommendations for legislative or regulatory action, to the legislature by June 30, 2026.**"

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Stages of a Collaborative Process

1. CONVENE	2. SEEK AGREEMENT	3. IMPLEMENT
1. Assessment & Planning	2. Organization	3. Education
4. Negotiation & Resolution	5. Implementation	

Fundamentals of a Collaborative Process

<p>Purpose: Determine whether a collaborative process could be successful and if so, how the process should be designed.</p> <p>Key Areas:</p> <ul style="list-style-type: none"> • Assess the Issue or Problem to be Resolved • Identify Who Needs to be Involved and How Represented • Assess Adequacy of Commitment and Resources • Design Process and Strategy 	<p>Purpose: Determine how best to organize the group to achieve its purpose and outcomes.</p> <p>Key Areas:</p> <ul style="list-style-type: none"> • Training in Collaboration • Establish Groundrules and Operating Procedures • Determine Purpose/Outcomes • Agenda Setting for Education Phase 	<p>Purpose: Develop common base of understanding among the group.</p> <p>Key Areas:</p> <ul style="list-style-type: none"> • Review History and Context • Joint Fact-Finding • Develop Common Information Base • Explore Issues and Interests • Develop Common Understanding of Problem and Issues 	<p>Purpose: Arrive at agreements that everyone can live with and feel committed to implement.</p> <p>Key Areas:</p> <ul style="list-style-type: none"> • Develop Decision Making Criteria • Generate Options • Link and Package Agreements • Reconcile Conflicting Interests and Develop Agreements • Integrate Implementation into Agreements 	<p>Purpose: Connect agreements to external decision making and build capacity for implementation.</p> <p>Key Areas:</p> <ul style="list-style-type: none"> • Link Agreements to External Decision Making • Define Responsibilities and Timelines • Develop System for Monitoring Implementation • On-going Adaptive Management and Collaborative Decision Making
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Developed by Amanda Murphy, The William D. Ruckelshaus Center. Adapted from *Five Stages of Collaborative Decision Making on Public Issues*, Center for Collaborative Policy, California State University, Sacramento and the National Policy Consensus Center, Portland State University, Portland, Oregon.

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Values of Collaborative Processes

<p>Full Participation and Cooperation</p> <ul style="list-style-type: none"> • Everyone participates, not just the vocal few • Opposing viewpoints are allowed to co-exist in the room • Work together to achieve collective—and respective—goals • Appreciate experience and expertise while also welcoming new input • No coercion, manipulation, or threats 	<p>Shared Responsibility</p> <ul style="list-style-type: none"> • Everyone (including facilitator) takes responsibility for themselves and their participation. • Everyone also helps support the group – draw each other out with supportive questions. • Everyone takes responsibility for both the content and the process of making decisions together.
<p>Mutual Understanding</p> <ul style="list-style-type: none"> • Share all relevant information • Listen to feelings as well as ideas • Be willing to reconsider your own thinking, in the light of new information • Allow for independent validation of assumptions • Be open to the possibility of transformation • Focus on common purpose • Try to understand other's reasoning – even when that reasoning leads to a conclusion you do not agree with. 	<p>Inclusive Solutions</p> <ul style="list-style-type: none"> • Strive to turn either/or problems into both/and solutions • Work to foster a win/win attitude • Move away from either/or thinking, toward creative possibilities • Inclusive solutions are wise solutions. The wisdom emerges from integrating everyone's perspectives and needs. An inclusive solution often involves the discovery of an entirely new option.

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Pyramid of Satisfaction

Substantive

Something is received from the process

Procedural

Fairness that accompanies any agreement or outcome

Relational

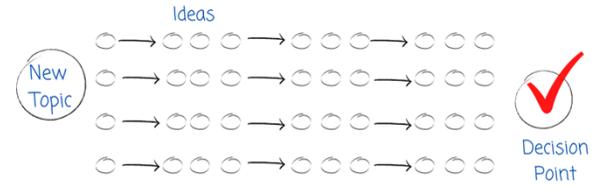
Heard and respected

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Dynamics of Collaborative Processes and Participatory Decision-Making

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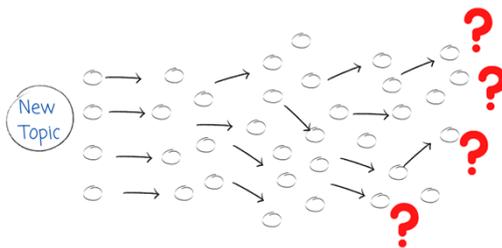
Dynamics of Group Decision-Making



Sam Kaner, *Facilitator's Guide to Participatory Decision-Making*. Community at Work (2007)

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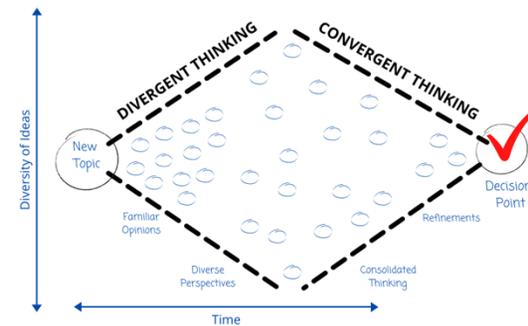
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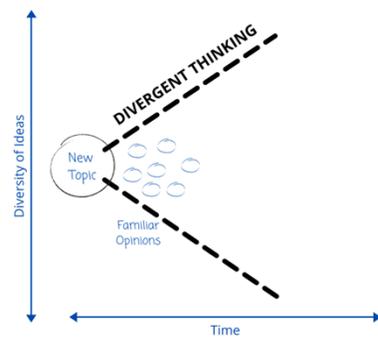
Dynamics of Group Decision-Making

<p style="text-align: center;">Divergent</p> <ul style="list-style-type: none"> • Generating list of ideas • Free-flowing open discussion • Bringing in, listening, and learning to new points of view • Suspending judgment 	VS.	<p style="text-align: center;">Convergent</p> <ul style="list-style-type: none"> • Sorting ideas into categories • Summarizing key points • Coming to agreement • Exercising judgement
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Sam Kaner, *Facilitator's Guide to Participatory Decision-Making*. Community at Work (2007)

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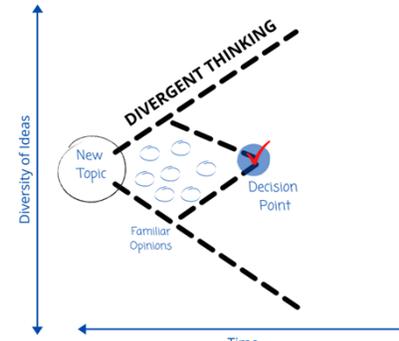
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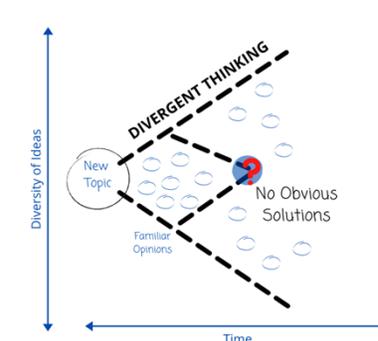
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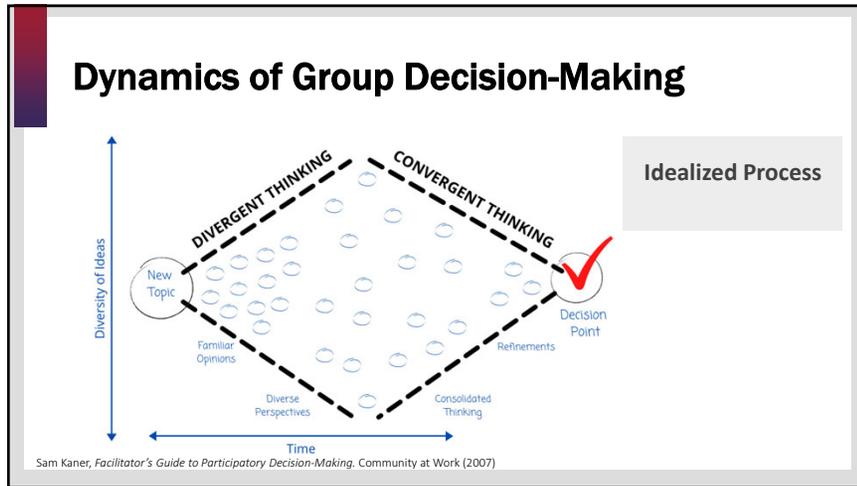
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Dynamics of Group Decision-Making

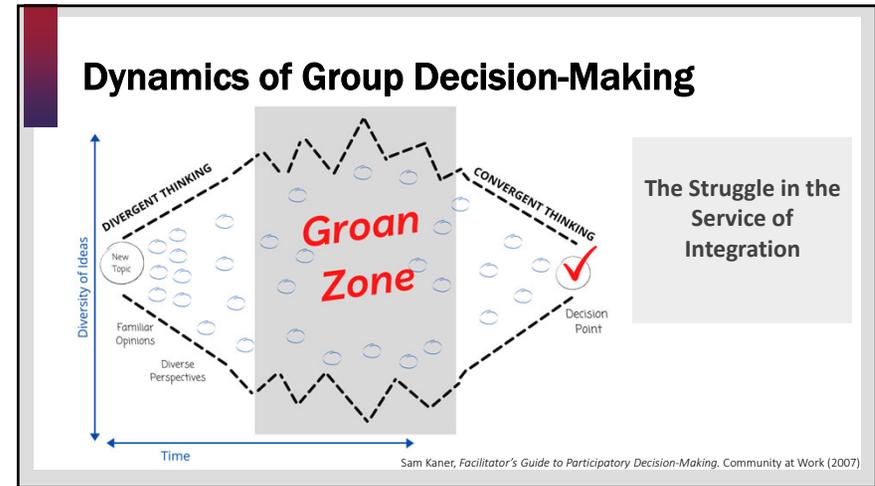


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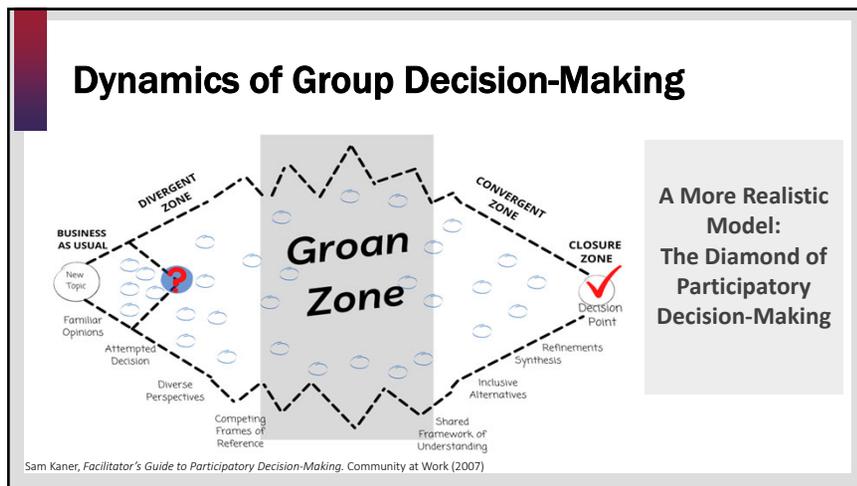
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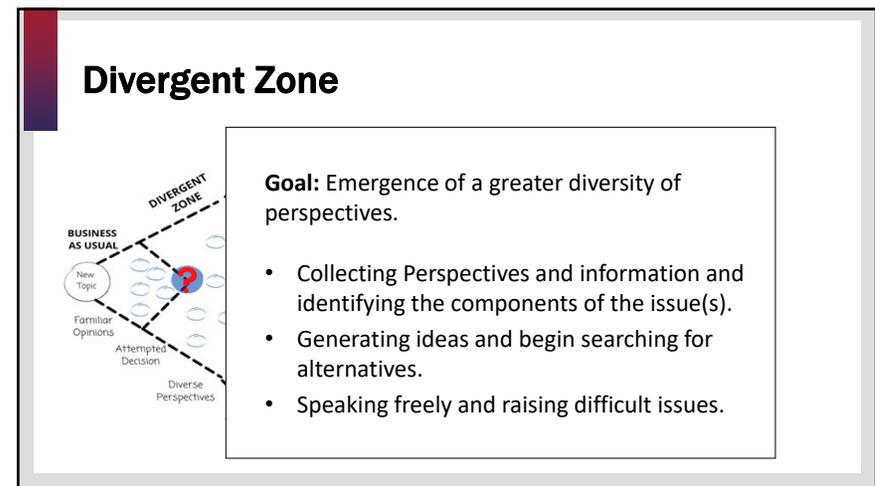
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Groan Zone



Goals: develop a shared framework of understanding AND build and strengthen trust and working relationships.

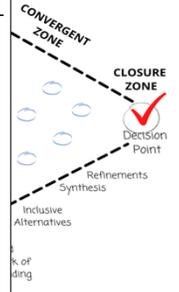
- Creating shared context and understanding.
- Getting to better know one another and experiencing each other’s humanity.

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Convergent Zone

Goal: Finding and developing inclusive solutions – those that take everyone’s interests into account.

- Apply inclusive principles and support the both/and mindset.
- Identifying core assumptions and deliberately replacing or reversing them to gain an alternate perspective – creative reframing.
- Critical reasoning – iterative process of evaluating and refining ideas.



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Consensus Defined

Proposed definition for consensus for the SSB 5351 Collaborative: Consensus means that each member can say:

- I was a respected member of the group that considered the decision;
- my ideas (opinions, knowledge, concerns, beliefs, hopes) were listened to;
- I listened to the ideas (opinions, knowledge, concerns, beliefs, hopes) of others; and
- I can support the decision of the group, even though I might have made a different decision had I acted alone.

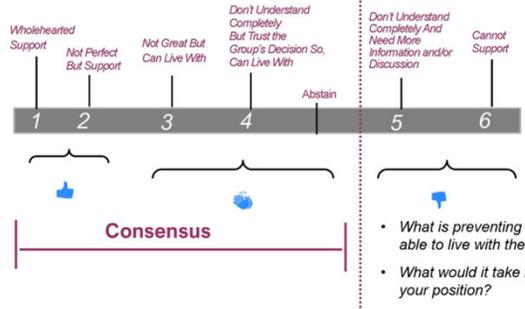
Each member/alternate can convey their position on a given consensus option or proposal via a thumbs up (“I support this”), thumb sideways (“I can live with this for the good of the group and the process”) or thumbs down (“I cannot live with this”). If a member is thumbs down, that member is expected to provide a proposal that legitimately attempts to achieve the interest of the constituency they represent *and the interests of the other members*. All members will seek solutions that allow those thumbs to move to up or sideways.

In situations with no consensus, members not in support will submit in writing to the Facilitation Team why their constituency is unable to “live with” the decision, alternative options or language to address their constituencies’ concerns, and how that would also meet the concerns and needs of other members.

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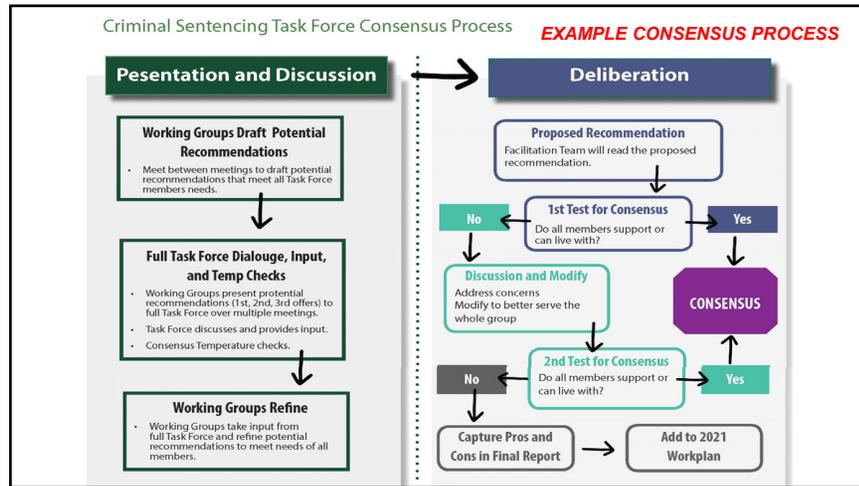
Gradients of Agreement

Consensus is not the same as voting. Voting is a power-based approach that results in a yes or a no – majority are winners and minority are losers.



- What is preventing you from being able to live with the recommendation?
- What would it take for you to change your position?

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Convening Assessment Findings

Purpose and Desired Outcomes

Do you feel you understand the task/s for this group?

- Work collaboratively with a broad group to find common ground and provide recommendations to the Legislature.
- *Also frequently mentioned:* to have more productive dialogue, change the tone & tenor of the conversation from antagonistic to constructive.
- Better understand one another's perspective and agree on the problem(s), find common ground.

Imagine a year from now and the group has been successful. How would you know?

- Shared understanding and agreement on "the facts" (the elements of what comprises a base of key information and the numbers themselves)
- Will have had robust, constructive, solution-focused dialog
- Relationships improved, understanding reached, common ground identified on key issues, and potential solution pathways emerging.

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Convening Assessment Findings

Purpose and Desired Outcomes

What are your organization's goals and hopes for this process? Do others on the group share this aim?

- Within the scope of SB 5351, produce a report of value to the Legislature (i.e., with clear guidance, sideboards, or a framework on each issue) that is supported by all the parties.
- To improve relationships and develop a more productive and positive environment among the parties around these issues.
- To build shared understanding and agreement on the facts and information.
- Policy change on both issues.
- Most were not sure whether others shared similar goals.

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Convening Assessment Findings

Dental Loss Ratio

What are the key issues related to DLR? Do others agree these are the key issues?

- Lack of clarity on the issue (why it is an issue).
- Whether a specific DLR is needed in statute. If so, what that percentage should be. What goes into numerator and denominator.
- Transparency.
- Better define what is an administrative cost.
- Patient access and affordability to care.

What do you see as opportunities and/or areas of common ground?

- Focus on patient access, quality, and affordability of care
- National Council of Insurance Legislators (NCOIL) model legislation
- Transparency and standard reporting on DLR
- A collaborative process offers an opportunity *outside the legislative session* to have deeper dialogue and include more parties in the problem-solving discussion (e.g., denturists, consumer advocates)

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Convening Assessment Findings

Dental Loss Ratio

What challenges do you see to addressing any of these issues?

- Adversarial relationship dynamics – WSDA and Delta Dental
- Disagreement about whether DLR is an issue needing legislative action.
- Disagreement on whether establishing a DLR in statute will have adverse market impacts.
- Disagreement on whether establishing a DLR in statute will impact patients.

If a collaborative agreement cannot be achieved, what do you see as the best-case scenario?

- Nearly all said just having a space to have more productive conversations would be a success. People see a need to establish shared understanding and want to improve the tone of the conversation.
- Document the process, the deliberations, the findings, and the status of the emerging options and recommendations. Report areas of agreement.
- Establish transparency for all parties around costs (of care, of running a practice, of providing insurance, etc.)
- Agreeing to continue working together in good faith in the future, with improved relationships.

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Convening Assessment Findings

Relative Payments Based on Network Status

What are key issues related to relative payment for dentists or denturists based on their provider network status?

- Concern we will be unable to reach common ground.

Lack of clarity on what the issue is: many issues, many layers:

- Reimbursements to denturists is a separate issue from reimbursements to dentists
- In-Network vs. Out-of-Network reimbursements: Parity of reimbursement; Comparable reimbursements; Small carrier practices vs. large carrier practices
- Out-of-network dentists are outside the direct regulatory framework and oversight of OIC.
- In-network and out-of-network rate parity may incentivize dentists to leave networks, which could result in patients paying more because of balance billing – and patients lose various protections inherent in seeing a contracted, in-network dentist.
- Patients should get the full benefits they pay for, regardless of who they choose to provide their care.
- Transparency for patients.

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Convening Assessment Findings

Relative Payments Based on Network Status

What do you see as opportunities and/or areas of common ground?

- Not a lot of info given on opportunities. *(Many said they're not clear on the problem, or want a better understanding on how this impacts patients, denturists, etc.)*
- Create shared understanding about how carriers structure their payments to in-network vs out-of-network.
- Better understanding of each other's perspectives and a chance to better listen to one another, to improve relationships.
- Legislators becoming more informed on the issues.
- Discuss "usual and customary rates" and develop shared understanding of that term.

What challenges do you see to addressing any of these issues?

- Similar to what is stated above (some not sure what the problem is)
- Need to address other important issues, such as workforce development.
- Concern: if reimbursements the same for in-network as out-of-network, then providers have no reason to join network – this impacts patients (could result in balance billing, or providers not meeting standards).

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Convening Assessment Findings

Relative Payments Based on Network Status

If a collaborative agreement cannot be achieved, what do you see as the best-case scenario?

- Shared fact-finding: establishing transparency around facts.
- Agreement on the information, data, facts.
- Space created to have productive dialogue, build understanding about the issues and each other's interests and perspectives (and why these issues matter to other parties).
- Improved relationships, commitment to keep working together constructively and in good faith

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**Convening
Assessment
Findings**

Membership, Roles,
Responsibilities

What are your expectations of fellow work group members?

- Transparency
- No surprises (e.g., hidden agendas, side runs to the legislature)
- Not using information and data to mislead or promote individual parties' agendas.
- To treat each other respectfully: It's okay to disagree but not be disagreeable.
- Honesty
- Assuming good intentions
- Deep and active listening – listening to understand rather than listening to respond and defend.
- No sarcasm. Being respectful.
- Willingness to work together in good faith and try to find solutions that meet everyone's needs and not just their own.

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BREAK

**10:30am – 10:45am
BREAK**

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**DRAFT
Operating
Procedures**

**10:45am – 11:45am
REVIEW, DISCUSS, AND AGREE ON KEY PROCESS
ELEMENTS**

- Amanda and Chris review "first offer" of draft operating procedures including Collaborative roster, group agreements, and decision-making process.
- Members will discuss, offer input, ideas, and suggested modifications.

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**BREAK FOR
LUNCH**

**11:45am – 1:15pm
LUNCH**

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Presentation on Dental Loss Ratio

1:15pm – 2:00pm

LEVEL-SETTING: PRESENTATION ON DENTAL LOSS RATIO

- Presentation on Dental Loss Ratio: Steve Drutz, Chief Financial analyst, WA Office of the Insurance Commissioner (OIC) and Jane Beyer, Senior Health Policy Advisor, OIC
- [Washington State Insurers Dental Loss Ratios](#): *This dataset serves as a dental insurance summary database. The dataset provides annual loss ratios for insurers that operate in Washington state. Loss ratios track payments to premiums and are an indicator of fiscal health. This data is cumulative at the company level as reported to the National Association of Insurance Commissioners (NAIC)*
- Questions/Comments from members: clarifying questions? Missing information?

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Group Discussion on Dental Loss Ratio

2:00pm – 3:15pm

LEVEL-SETTING: GROUP DISCUSSION ON DENTAL LOSS RATIO

- *What other information do you all need about dental loss ratio to ensure there is enough **shared understanding** to enable productive dialogue and problem solving?*

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Workplan

3:15pm – 3:40pm

DRAFT WORKPLAN, ACTION ITEMS AND NEXT STEPS

- Amanda and Chris will present a first offer of a schedule and workplan
- Members will discuss, offer input, ideas, and suggested modifications.
- Review meeting decisions, agreements, and achievements.

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Closing, Reflection, and Adjourn

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