

COVID-19 State Guidelines

to health carriers regarding cost-sharing and/or out-of-network services

This document summarizes bulletins and emergency orders issued by states in response to the COVID-19 virus. Updates will be made as quickly as possible upon issuance or revision, however this should not be referred to as a definitive source of all current information.

Alaska

Pertinent information effective until April 30, 2020 regarding cost-sharing and/or out-of-network services:

Health insurers regulated by the state shall waive cost-sharing for laboratory diagnostic testing for respiratory syncytial virus (RSV), influenza, respiratory panel tests, and COVID-19.

Health insurers are asked to waive the cost-sharing for an office visit, urgent care center visit, emergency room visit for testing.

Bulletin: https://www.commerce.alaska.gov/web/Portals/11/Pub/INS_B20-04.pdf

California

Pertinent information regarding cost-sharing and/or out-of-network services:

California Department of Insurance (CDI) directs all insurers providing commercial health insurance coverage to immediately reduce cost-sharing (including, but not limited to, co-pays, deductibles, or coinsurance) to zero for all medically necessary screening and testing for COVID-19, including hospital, emergency department, urgent care, and provider office visits where the purpose of the visit is to be screened and/or tested for COVID-19.

Bulletin: <http://www.insurance.ca.gov/0250-insurers/0300-insurers/0200-bulletins/bulletin-notices-commission/upload/COVID-19-Screening-and-Testing.pdf>

Colorado

Pertinent information regarding cost-sharing and/or out-of-network services:

The Division is directing carriers to ensure that coverage is provided for COVID-19 testing without the requirement that consumers pay co-pays, deductibles or co-insurance. Carriers are directed to waive cost-sharing for an in-network provider office visit, an in-network urgent care center visit, and an emergency room visit when a covered person is seeking testing for COVID-19. Carriers are reminded that if an in-network provider is unable to conduct testing for COVID-19, carriers must cover such testing if performed by an out-of-network provider.

Bulletin: https://drive.google.com/file/d/1_9Z6CVhzAxNNxUWBKeAfVHgfr3mXQB_T/view

Georgia

Pertinent information regarding cost-sharing and/or out-of-network services:

The Department is asking health insurers who provide coverage to Georgia residents to take the following immediate measures:

- Consider options to reduce potential barriers of cost-sharing for testing and treatment of COVID-19 during the outbreak
- Waive any cost-sharing for COVID-19 laboratory tests
- Waive cost-sharing for an in-network provider office visit and an in-network urgent care center visit when testing for COVID-19, as well as for an emergency room visit when testing for COVID-19

Full Directive: <https://www.oci.ga.gov/ExternalResources/Announcements/Directive-392020-943.pdf>

Kentucky

Pertinent information regarding cost-sharing and/or out-of-network services:

All insurers shall waive all cost-sharing including copayments, coinsurance, and deductibles for screening and testing for COVID-19 as specified by the Centers for Disease Control and Prevention (CDC), including hospital, emergency department, urgent care, provider office visits, lab testing, telehealth, and any immunizations that are made available.

Executive Order: https://governor.ky.gov/attachments/20200309_Executive-Order_2020-220.pdf

Louisiana Emergency Rule 36 (3/11/2020)

§3105. Waiver

A. All health insurance issuers shall waive all cost-sharing including copayments, coinsurance, and deductibles for screening and testing for COVID-19 as specified by the CDC, including hospital, emergency department, urgent care, provider office visits, lab testing, telehealth, telemedicine, and any immunizations that are made available.

§3111. Notice to Contracted Providers of Waiver

A. All health insurance issuers shall provide notice to contracted providers that they are waiving the cost-sharing and prior authorization requirements, or any restrictions, and ensure that information regarding the waivers is provided to customer service centers, nurse advice lines, and others so that proper information is provided to insured citizens.

Information: <https://ldi.la.gov/docs/default-source/documents/legaldocs/rules/rule36-cur-patientprotections>

Maine

Pertinent information effective until April 30, 2020 regarding cost-sharing and/or out-of-network services:

Governor Janet T. Mills directs all health insurance carriers to make medically necessary screening and testing for COVID-19 services available with no deductible, copayment, or other cost sharing of any kind, or any prior authorization requirement, including all associated costs such as processing fees and clinical evaluations. The only situation in which carriers will be permitted to impose out-of-network charges is when the enrollee was offered the service in-network without additional delay but chose instead to visit an out-of-network provider or be tested by an out-of-network laboratory.

If and when an immunization becomes available for COVID-19, carriers shall immediately cover the cost of the vaccine and all associated costs of administration without cost sharing, on the same basis as screening and testing services.

Bulletin: https://www.maine.gov/tools/whatsnew/index.php?id=2220066&topic=INS-Bulletins&utm_content=&utm_medium=email&utm_name=&utm_source=govdelivery&utm_term=&v=boi-template2017

Maryland

Pertinent information regarding cost-sharing and/or out-of-network services:

The Commissioner will promulgate emergency regulations to require health carriers to:

- Waive any cost-sharing, including co-payments, coinsurance and deductibles, for any visit to diagnose or test for COVID-19 regardless of the setting of the testing (for example emergency rooms, urgent care centers, and a primary physician's office).
- Waive any cost-sharing, including co-payments, coinsurance, and deductibles, for laboratory fees to diagnose or test for COVID-19.
- Waive any cost-sharing, including co-payments, coinsurance and deductibles, for vaccination for COVID-19.
- Make a claims payment for treatment for COVID-19 that the health carrier has denied as experimental.
- Evaluate a request to use an out of network provider to perform diagnostic testing of COVID-19 solely on the basis of whether the use of the out of network provider is medically necessary or appropriate.

Bulletin: <https://insurance.maryland.gov/Insurer/Documents/bulletins/Bulletin-20-05-Covid-19.pdf>

Massachusetts

Pertinent information regarding cost-sharing and/or out-of-network services:

Division of Insurance expects Carriers to:

- Forego any cost-sharing (co-payments, deductibles, or coinsurance) for medically necessary Coronavirus testing, counseling, vaccinations at in-network doctors' offices, urgent care centers, or emergency rooms; and at out of network doctors' offices, urgent care centers, or emergency rooms when access to urgent testing or treatment, in accordance with DPH and CDC requirements is unavailable from in-network providers.
- Forego any copayments for medically necessary Coronavirus treatment, in accordance with DPH and CDC guidelines, at in-network doctors' offices, urgent care centers, or emergency rooms; and at out-of-network doctors' offices, urgent care centers, or emergency rooms when in-network alternatives are not available.
- Relax prior approval requirements and procedures so that members can get timely medically necessary testing or treatment, in accordance with DPH and CDC guidelines, if they are at risk of contracting the Coronavirus.

Bulletin: <https://www.mass.gov/doc/bulletin-2020-02-addressing-covid-19-coronavirus-testing-and-treatment-issued-362020/download>

Michigan

Pertinent information regarding cost-sharing and/or out-of-network services:

A number of insurers, including Blue Cross Blue Shield of Michigan, Blue Care Network of Michigan, Priority Health, CVS Health, McLaren, and Meridian announced they will fully cover the cost of medically-necessary COVID-19 tests for members.

Governor's Announcement: <https://www.michigan.gov/whitmer/0,9309,7-387-90487-521179--,00.htm>

Mississippi

Pertinent information regarding cost-sharing and/or out-of-network services:

Consumers with fully-insured individual and group health plans will not be charged co-payments, co-insurance, or deductibles related to COVID-19 laboratory testing administered consistent with guidelines issued by the United States Centers for Disease Control and Prevention.

Consumer Alert: <https://www.mid.ms.gov/consumers/covid.aspx#chi>

Nevada

Pertinent information effective March 5 to July 3, 2020 regarding cost-sharing and/or out-of-network services:

Health Insurers:

- Shall not impose out-of-pocket cost for provider office, urgent care center or emergency room visits if the purpose is to test for COVID-19
- Shall not impose an out-of-pocket cost for COVID-19 testing,
- Shall cover the costs of a COVID-19 vaccine should one become available

If an in-network provider would prolong testing, then an out-of-network provider must be covered by your plan at no out-of-pocket cost.

State of Emergency: http://doi.nv.gov/uploadedFiles/doivgov/_public-documents/News-Notes/2020-03-05.DOI_Emergency_Regulations_re_COVID-19.pdf

New Hampshire

Pertinent information regarding cost-sharing and/or out-of-network services:

Health carriers must provide coverage, prior to application of any deductible and without cost-sharing, of the initial health care provider visit for FDA-authorized COVID-19 testing for insureds who meet the CDC criteria for testing, as determined by the insured's health care provider. This includes in-network provider office visits, urgent care visits, or emergency services to test for COVID-19. If in-network providers are unavailable to conduct testing for COVID-19, insurers must cover out-of-network testing. Any prior authorization requirements that typically apply to covered diagnostic tests are suspended with regard to testing for COVID-19.

Full Order: <https://www.governor.nh.gov/news-media/press-2020/documents/health-care-coronavirus-order.pdf>

New Mexico

Pertinent information regarding cost-sharing and/or out-of-network services:

In response to Governor Michelle Lujan Grisham's March 11 declaration of a public health emergency, Superintendent of Insurance Russell Toal has issued an emergency rule prohibiting health insurers from imposing cost sharing, including copays, coinsurance and deductibles, for testing and health care services related to COVID-19. The rule also covers pneumonia, influenza, or any disease or condition that is the subject of a public health emergency.

The first order requires insurers providing major medical coverage and insurers providing limited benefits coverage to notify their members whether and to what extent their policies cover testing and health care services related to COVID-19. Additionally, if an insurer only offers limited coverage, they must notify their members of available full coverage options. The second order requires limited benefit plans (such as workers compensation and automobile medical payment insurance) to provide notice to their members that their plans do not provide comprehensive medical coverage and to give members information on where they should go to check on their eligibility to apply for and obtain such coverage.

Press Release: <https://www.osi.state.nm.us/wp-content/uploads/2020/03/Governor-Press-Release.pdf>

New Jersey

Pertinent information regarding cost-sharing and/or out-of-network services:

Governor Phil Murphy announced administrative actions to waive consumer cost sharing for all medically necessary COVID-19 testing, as well as services related to testing. This waiver includes emergency room, urgent care, and office visits related to COVID-19 testing.

Bulletin: https://www.state.nj.us/dobi/bulletins/blt20_03.pdf

New York

Pertinent information regarding cost-sharing and/or out-of-network services:

An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

The Superintendent of Financial Services ("Superintendent") is advising issuers that they should waive any cost-sharing for COVID-19 laboratory tests so that cost-sharing does not serve as a barrier to access to this important testing. In addition, issuers should waive the cost-sharing, including through telehealth, for an in-network provider office visit and an in-network urgent care center visit any other in-network outpatient provider setting able to diagnose the novel coronavirus (COVID-19), or an emergency department of a hospital when testing for diagnosis and testing of COVID-19. The Superintendent will promulgate an emergency regulation to ensure that issuers do not impose cost-sharing for COVID-19 testing consistent with this circular letter. In addition, if in-network providers are unable to conduct testing for COVID-19, issuers are reminded that they must cover testing out-of-network.

Circulars: https://www.dfs.ny.gov/industry_guidance/circular_letters/cl2020_03
https://www.dfs.ny.gov/system/files/documents/2020/11/re62_57_amendment_text.pdf

New York Fifty-Seventh Amendment to 11 NYCRR 52 (1/7/2021)

An insurer shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

The Superintendent of Financial Services (“Superintendent”) is advising issuers that they should waive any cost-sharing for COVID-19 laboratory tests so that cost-sharing does not serve as a barrier to access to this important testing. In addition, issuers should waive the cost-sharing for an in-network provider office visit and an in-network urgent care center visit when testing for COVID-19. Issuers should also waive the cost-sharing for an emergency room visit when testing for COVID-19. The Superintendent will promulgate an emergency regulation to ensure that issuers do not impose cost-sharing for COVID-19 testing consistent with this circular letter. In addition, if in-network laboratory tests to diagnose the novel coronavirus shall not be subject to cost-sharing.

Information: https://www.dfs.ny.gov/system/files/documents/2021/01/re62_a57_text.pdf

New York Fifty-Eighth Amendment to 11 NYCRR 52 (1/7/2021)

No policy or contract delivered or issued for delivery in this State that provides comprehensive coverage for hospital, surgical, or medical care shall impose, and no insured shall be required to pay, copayments, coinsurance, or annual deductibles for an in-network service delivered via telehealth when such service would have been covered under the policy if it had been delivered in person. Insurers shall provide written notification to its in-network providers that they shall not collect any deductible, copayment, or coinsurance in accordance with this subdivision.

Information: https://www.dfs.ny.gov/system/files/documents/2021/01/re62_a58_text.pdf

New York Sixtieth Amendment to 11 NYCRR 52 (5/2/2020)

On May 2, the Department of Financial Services in New York promulgated a similar regulation which requires insurers to provide written notification to in-network providers that they shall not collect any deductible, copayment, coinsurance, or annual deductibles for outpatient mental health services rendered to Essential Workers in person or by telehealth. This extensive definition of Essential Worker is included in the regulation and circular.

Information: https://www.dfs.ny.gov/system/files/documents/2020/11/reg62_amend60_text.pdf

New York DFS Circular 14

The New York Department of Financial Services issued the following guidance: Issuers should immediately notify participating providers that they should not charge insureds fees that are beyond the insureds’ financial responsibility for covered services, such as fees for PPE, and issuers should instruct participating providers to refund any such fees to insureds.

Information: https://www.dfs.ny.gov/industry_guidance/circular_letters/cl2020_14

Oregon

Pertinent information regarding cost-sharing and/or out-of-network services:

The state has reached an agreement with several health insurance companies to waive co-payments, co-insurance, and deductibles for their customers who need COVID-19 testing. The agreement means consumers with fully-insured individual and group health plans will not be charged co-payments, co-insurance, or deductibles related to COVID-19 for the following:

- COVID-19 laboratory testing administered consistent with guidelines issued by the United States Centers for Disease Control and Prevention.
- An in-network provider office visit or a visit to an in-network urgent care center to be tested for COVID-19.
- An emergency room visit to be tested for COVID-19.
- Immunization for COVID-19, once it becomes available.

Information: <https://dfr.oregon.gov/insure/health/understand/Pages/coronavirus.aspx>

Pennsylvania

Pertinent information regarding cost-sharing and/or out-of-network services:

All major health insurers providing comprehensive medical coverage in the commonwealth will cover medically appropriate COVID-19 diagnostic testing and associated treatment for consumers and have committed to waive any cost-sharing for the testing. Pennsylvania's major health insurers, all of whom have committed to take this critical step, are Highmark, UPMC Health Plan, Geisinger, Independence BlueCross, Capital Blue Cross, Aetna, Cigna, UnitedHealthcare, Pennsylvania Health & Wellness, and Oscar.

Waiver Announcement: <https://www.governor.pa.gov/newsroom/gov-wolf-states-major-health-insurers-are-covering-covid-19-testing-resources-available-related-to-covid-19-and-insurance-coverage/>

South Dakota

Pertinent information regarding cost-sharing and/or out-of-network services:

In conjunction with H.R. 6201, the Families First Coronavirus Response Act, all health carriers must cover COVID-19 testing and the associated office visit, urgent care, or emergency room charge at no cost to insureds.

Bulletin: https://dlr.sd.gov/insurance/bulletins/bulletin_20_02_covid_19_health_benefit_plans.pdf

Vermont

Pertinent information regarding cost-sharing and/or out-of-network services:

Because knowledge of whether an individual is infected with COVID-19 is critical to limiting their exposure to others – and thus the spread of the disease – the Department is directing insurers to cover any medically necessary COVID-19 testing performed by the Centers for Disease Control (CDC), the Vermont Department of Health (VDH), or a laboratory approved by CDC or VDH, with no co-payment, coinsurance or deductible requirements for members. This includes in-network provider office or urgent care visits and emergency services visits to test for COVID-19. If in-network providers are unavailable to conduct testing for COVID-19, insurers must cover out-of-network testing on the terms outlined above, consistent with Department Regulation 2009-03.

Bulletin: <https://dfr.vermont.gov/sites/finreg/files/regbul/dfr-insurance-bulletin-209-covid19-testing.pdf>

Washington

Pertinent information regarding cost-sharing and/or out-of-network services:

Insurance Commissioner of the state of Washington orders all health carriers as follows:

- Cover, prior to application of any deductible and with no cost-sharing, the health care provider visit and FDA-authorized coronavirus disease 2019 (COVID-19) testing for enrollees who meet the CDC criteria for testing, as determined by the enrollee's health care provider.
- Allow enrollees to obtain a one-time refill of their covered prescription medications prior to the expiration of the waiting period between refills so that enrollees can maintain an adequate supply of necessary medication. Carriers may take into consideration patient safety risks associated with early refills for certain drug classes, such as opioids, benzodiazepines and stimulants.
- Suspend any prior authorization requirements that apply to covered diagnostic testing and treatment of coronavirus disease 2019 (COVID-19).
- Ensure compliance with WAC 284-170-200(5), which requires that if a carrier has an insufficient number or type of providers in their network to provide testing and treatment of coronavirus disease 2019 (COVID-19), the carrier must ensure that the enrollee obtains the covered service from a provider or facility within reasonable proximity of the enrollee at no greater cost than if the provider were in-network.

Emergency Order: <https://www.insurance.wa.gov/sites/default/files/documents/emergency-order-number-20-01.pdf>

For additional information, please visit the CDC's website: <https://www.cdc.gov/coronavirus/2019-ncov/about/prevention-treatment.html>