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BULLETIN 20-06

To: All Health Carriers

Re: COVID 19 Follow Up

Date: March 10, 2020

On March 5, 2020, Governor Larry Hogan issued a Proclamation declaring a State of Emergency and that a Catastrophic Health Emergency exists in the State of Maryland. On March 6, 2020, the Maryland Insurance Administration issued Bulletin 20-05 regarding COVID 19. On March 9, 2020, changes to Code of Maryland Regulations (“COMAR”) 31.01.02.03 and .06 took effect on an emergency basis.

Pursuant to § 2-115 of the Insurance Article and COMAR 31.01.02.05 and 06, the Commissioner is invoking his emergency powers and the provisions of COMAR 31.01.02.06A(5), (6) and (7) and F through K are activated. As a result, health carriers are required 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.
- 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, when a vaccine becomes available.
- 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.
- Consider an adverse decision on a request for coverage of diagnostic services for COVID-19 an emergency case for which an expedited grievance procedure is required under § 15-10A-02 of the Insurance Article.

The only prior authorization requirements a health carrier may utilize relating to testing for COVID-19 shall relate to the medical necessity of the testing.

The cost-sharing waivers do not apply to a Medicare supplement policy as defined by § 15-901(k) of the Insurance Article. A carrier is not required to waive the deductible for a high-deductible health plan, if the waiver of the deductible would disqualify the plan from being considered a high deductible health plan under federal law.

These regulations shall be in effect along with those activated in Bulletin 20-05 until the emergency declaration is lifted or the Commissioner issues a Bulletin deactivating the regulations at issue.

Questions about this Bulletin may be directed to the Life & Health Unit of the Maryland Insurance Administration at 410-468-2170.

AL REDMER, JR.
Commissioner

By:

signature on original

David Cooney
Associate Commissioner