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BULLETIN 23-13

Date: September 14, 2023

To: All Health Insurers; Nonprofit Health Service Plans; and Health Maintenance Organizations (“Carriers”)

Re: COVID-19 Vaccination Coverage Requirements Reminder

On September 12, 2023, the Advisory Committee on Immunization Practices (ACIP) of the Centers for Disease Control and Prevention (CDC) voted to recommend a COVID-19 vaccine updated for 2023-2024 for everyone aged 6 months and older to protect against serious illness. The Maryland Insurance Administration (MIA) is issuing this bulletin to remind carriers of the applicable coverage requirements for COVID-19 vaccines under federal law.

Section 3203 of the CARES Act generally requires non-grandfathered group and individual health benefit plans to cover, without cost-sharing requirements, any item, service, or immunization that is intended to prevent or mitigate COVID-19 and that is: an evidence-based item or service that has in effect a rating of “A” or “B” in the current recommendations of the United States Preventive Services Task Force (USPSTF); or an immunization that has in effect a recommendation from the ACIP of the CDC with respect to the individual involved. Coverage of a qualifying preventive service for COVID-19 must begin 15 business days after the date on which an applicable recommendation is made by USPSTF or ACIP.

The CARES Act does not require coverage of COVID-19 vaccines received from an out-of-network provider, and, if coverage is provided, carriers may impose applicable out-of-network cost-sharing. Whether or not a carrier is required under Maryland law to cover COVID-19 preventive services received from an out-of-network provider depends on the type of health benefit plan contract, and whether the contract generally provides coverage for services received from out-of-network providers.

As required by Section 3203 of the CARES Act, carriers must cover COVID-19 vaccines received from an in-network provider, without cost-sharing, in accordance with the new ACIP recommendation no later than October 3, 2023 (i.e., within 15 business days of September 12, 2023). However, the MIA encourages carriers to provide coverage as soon as administratively feasible, rather than waiting 15 business days.

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

KATHLEEN A. BIRRANE
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By:

Signature on Original

David Cooney
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