



RICARDO LARA
CALIFORNIA INSURANCE COMMISSIONER

BULLETIN

TO: All Health Insurers
FROM: Insurance Commissioner Ricardo Lara
DATE: March 5, 2020
RE: COVID-19 Screening and Testing

As the State of California responds to COVID-19, the California Department of Insurance (CDI) wants to ensure that cost does not create a barrier for consumers receiving medically necessary screening and testing for COVID-19.

Waiver of Cost-Sharing Amounts

The Department directs all insurers providing commercial health insurance coverage to do the following:

1. 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.
2. Notify, as expeditiously as possible, the insurer's contracted providers that the insurer is waiving cost-sharing as described above.
3. Ensure the insurer's advice nurse line and customer service representatives are adequately informed that the insurer is waiving cost-sharing as described above and clearly communicate this to insureds who contact the insurer seeking medically necessary screening and testing for COVID-19.
4. Inform the insurer's call center staff to advise insureds to call their provider's office or advice nurse line for instructions about how best to access care for screening and treatment of COVID-19 prior to in-person visits to a clinic or emergency department.

5. Prominently display on the insurer's public website a statement that the insurer is waiving cost-sharing for medically necessary screening and testing for COVID-19, as well as guidance to insureds on how to access care as described above.

Ensuring Enrollees Have Timely Access to Care

The Department reminds insurers of existing California laws that require insurers to ensure their insureds are able to access medically necessary care in a timely fashion. These laws include:

- Covering all medically necessary emergency care without prior authorization, whether that care is provided by an in-network or out-of-network provider. (Insurance Code § 10112.7.)
- Complying with the utilization review timeframes for approving requests for urgent and non-urgent services, as required by Insurance Code section 10123.135. CDI strongly encourages insurers to waive prior authorization requests for services related to COVID-19 or, at a minimum, respond to such requests more quickly than the time frames required by law.
- Ensuring the insurer's provider networks are adequate to handle an increase in the need for health care services, including offering access to out-of-network services where appropriate and required, consistent with section 2240.1(e) of title 10 of the California Code of Regulations, as more COVID-19 cases emerge in California.
- Ensuring insureds are not liable for unlawful balance bills from providers, including balance bills related to testing of COVID-19.

Proactive Steps

Finally, the Department encourages insurers to act proactively to ensure consumers can access all medically necessary screening and testing of COVID-19. To this end:

- Insurers should work with their contracted providers to use telehealth services to deliver care when medically appropriate, as a means to limit insureds' exposure to others who may be infected with COVID-19, and to increase the capacity of insurers' contracted providers and facilities.
- In the event of a shortage of any particular prescription drug, insurers should waive prior authorization and/or step therapy requirements if an insured's prescribing provider recommends the insured take a different drug to treat the insured's condition.

This bulletin shall remain in effect until further notice.

Consumers with concerns or complaints about accessing care for COVID-19 under their health insurance policy may also contact the Department's Consumer Hotline at 1-800-927-4357 or visit www.insurance.ca.gov.

The Department continues to closely monitor this situation and will issue further guidance as appropriate. In the meantime, if you have questions or concerns, contact Bruce Hinze at Bruce.Hinze@insurance.ca.gov.