



THE STATE  
of **ALASKA**  
GOVERNOR MIKE DUNLEAVY

Department of Commerce, Community,  
and Economic Development

DIVISION OF INSURANCE  
Juneau Office

P.O. Box 110805  
Juneau, Alaska 99811-0805  
Main: 907.465.2515  
Fax: 907.465.3422

Bulletin 20-18

TO: ALL HEALTH CARE INSURERS IN THE STATE OF ALASKA AND OTHER INTERESTED PARTIES

RE: COVERAGE OF TELEHEALTH

The Division of Insurance has received numerous reports of insurers notifying consumers and health care providers that they will no longer cover telehealth services. The division would like to remind insurers of [Bulletin 20-07](#) and SCS HB 29 (HSS).

This legislation was signed into law by Governor Dunleavy on March 16, 2020 and became effective on March 17, 2020. Insurers were notified to implement changes to their plans immediately.

The legislation revised Alaska Statute 21.42.422 to expand telehealth coverage to all covered services of health care insurance plans in the individual and group markets subject to Title 21. Services must be provided by a health care provider licensed in Alaska. A prior in-person visit must not be required.

Insurers are reminded of the following:

- AS 21.36.125 prohibits the misrepresentation of facts relating to coverage of an insurance policy. Knowingly advising consumers and health care providers that a mandated covered service is no longer covered would be a violation of this statute. Failing to pay for a mandated covered service would also be a violation of this statute.
- AS 21.07.030 requires that if a health care insurer provides for services through a network, the health care insurer shall also offer a non-network option to covered persons. This requirement is applicable to telehealth. Consumers must be able to access telehealth services from both network and non-network providers.
- AS 21.42.422 does not require health care providers to use a particular technology platform, such as an insurer's proprietary software for services to be covered. Health care providers must use a HIPAA compliant service to protect consumer privacy.
- The statute does not limit the location of services for telehealth. Within reason, if a service is covered when in-person the service should also be covered when performed via telehealth.
- The federal Mental Health Parity and Addiction Equity Act requires that quantitative and non-quantitative elements must be comparative between medical/surgical and behavioral health services.

Questions relating to this bulletin can be referred to Sarah Bailey, Life and Health Supervisor a [sarah.bailey@alaska.gov](mailto:sarah.bailey@alaska.gov).

Dated October 2, 2020

A handwritten signature in blue ink that reads "Lori Wing-Heier".

Lori Wing-Heier, Director