



Order R20-05

Order to Health Insurers During Covid-19 Disaster Emergency

All insurers licensed in the state of Alaska or issuing insurance in the State of Alaska, insurance industry representatives and other interested parties are encouraged to review the latest information about COVID-19 released by the Alaska Department of Health and Social Services at: <http://dhss.alaska.gov/dph/Epi/id/Pages/COVID-19/default.aspx>.

BACKGROUND

On March 11, 2020, Governor Mike Dunleavy issued a public health disaster emergency order. This order was made to protect Alaskans from the adverse effects of COVID-19. Due to the Governor's declaration and pursuant to AS 21.06.080(d), the director finds that emergency measures are needed to ensure Alaskans maintain their insurance coverage while allowing insurers increased flexibility.

THE DIRECTOR HEREBY ORDERS:

1. Respiratory Illness Diagnostic Testing

Health insurers shall waive any cost-sharing for laboratory diagnostic testing for respiratory syncytial virus (RSV), influenza, and COVID-19. Cost-sharing should not be a barrier to access this testing to confirm illness. In addition, health insurers shall waive the cost-sharing for an office visit and urgent care center visit with the above testing, as well as for an emergency room visit with testing for the above. This waiver is applicable for in-network and out-of-network providers, facilities, and laboratories.

High deductible health plans (HDHPs) covering COVID-19 testing without cost-sharing will maintain HDHP status as allowed under IRS bulletin 2020-15. Insurers shall also provide telehealth services to HDHP plans consistent with federal guidance. Insurers should provide the greatest benefit to consumers while maintaining eligibility for HDHP and health savings accounts.

2. Telehealth Delivery of Services

Health insurers shall liberalize telehealth benefits during this period of increased infection. In addition to contracted telehealth services, insurers are reminded that group insurance contracts cannot contain a provision requiring services to be provided by a particular provider or facility under AS 21.54.020. Recently, HB29 was signed into law with an effective date of March 17, 2020. The new law may be viewed at

<http://www.akleg.gov/basis/Bill/Detail/31?Root=HB29>. Insurers are required to implement the new requirements immediately.

Insurers shall communicate these expanded coverages to providers and consumers as soon as possible.

3. Access to Prescriptions


Access to health care services and supplies is of concern to the division as consumers may be required to self-isolate in their homes with little notice and may not be able to refill their prescription drugs or other necessary medical supplies. The division orders insurers to provide for early refills or replacements of lost or damaged medications and expects this flexibility to continue for the duration of the public health disaster emergency. Insurers shall allow affected consumers to obtain emergency supplies or refills without applying additional authorization requirements. In addition, consumers must be able to access their necessary prescriptions from a local retail pharmacy even if their prescription supply is normally provided by mail order without concern of a penalty. Insurers may require that prescriptions containing opioids be obtained using the standard process. Insurers shall cover off-formulary prescription drugs if there is not a formulary drug to treat a covered condition due to supply shortages related to COVID-19.

4. Claim Submissions and Appeals

Insurers shall suspend deadlines for claim filing and appeals. This is necessary due to staffing challenges in doctor's offices, clinics and hospitals during the Alaska public health disaster emergency. Following the end of the emergency, there may also be a backlog of insurance claims to be filed and these claims must also be extended.

For additional guidance, insurers may review Bulletins B20-03, B20-09, and B20-11 that are available on the division's website.

This order is effective April 15, 2020. The provisions in paragraph three shall expire six months from the effective date of this Order. The other provisions shall expire November 15, 2020 or when the Governor determines the public health disaster emergency no longer exists.



Lori Wing-Heier, Director