




STATE OF TENNESSEE
DEPARTMENT OF COMMERCE AND INSURANCE
500 JAMES ROBERTSON PARKWAY
NASHVILLE, TENNESSEE 37243-5065
615-741-6007

BILL LEE
GOVERNOR

HODGEN M. MAINDA
COMMISSIONER

BULLETIN 20-02

TO: Health carriers writing health insurance or health benefit plan coverage in Tennessee
FROM: Hodgen Mainda, Commissioner 
Hodgen Mainda (Mar 8, 2020)
RE: COVID-19 Guidance to Health Carriers
DATE: March 9, 2020

A new Coronavirus (“COVID-19”) was detected in China that had not been previously found in humans. There are thousands of confirmed cases around the globe with numerous cases identified in the United States. As of March 9, 2020, there are three confirmed cases of COVID-19 in Tennessee. This matter is of urgent importance to public health.

All health carriers, other insurance industry representatives, and additional interested parties are encouraged to review the latest Tennessee information about COVID-19 released by the Tennessee Department of Health at : <https://www.tn.gov/health/cedep/ncov.html>.

The Tennessee Department of Commerce and Insurance (“Department”) aims to protect the health of Tennesseans and the solvency of insurers, by proactively issuing guidance to assist individuals and entities regulated by the Department in combating this urgent public health challenge.

The Department is requesting health carriers providing coverage through health benefit plans to Tennesseans to take the following immediate measures in response to the potential impact of COVID-19.

1. **Preparedness:** Health carriers should review their internal processes and operations to ensure that they are prepared to address COVID-19 cases in Tennessee, including, by providing insureds with information and timely access to all medically necessary covered healthcare services. As the COVID-19 situation continues to evolve, health carriers should continually assess their readiness and make any necessary adjustments.
2. **Information Access:** Access to accurate information and avoiding misinformation are

critical. Therefore, health carriers are requested to inform insureds of available benefits, quickly respond to insured inquiries, and consider revisions needed to streamline responses and benefits for insureds. Health carriers should make all necessary and useful information available on their websites and staff their nurse-help lines accordingly.

3. **Testing for COVID-19:** In the event a healthcare provider orders a COVID-19 laboratory test, the Department requests health carriers to waive any cost-sharing so that cost-sharing does not serve as a barrier to access this important testing. In addition, health carriers are also requested to waive the cost-sharing for an in-network provider office visit and an in-network urgent care center visit associated with the administration of a test for COVID-19, as well as for an emergency room visit associated with the administration of a test for COVID-19.
4. **Telehealth Delivery of Services:** Given that COVID-19 is a communicable disease, some insureds may be using telehealth services instead of in-person healthcare services. Health carriers are reminded to review Tenn. Code Ann. § 56-7-1002 regarding the delivery of health care services via telehealth.
5. **Network Adequacy and Access to Out-of-Network Services:** Health carriers are requested to verify their provider networks are adequate to handle a potential increase in the need for healthcare services in the event more COVID-19 cases are diagnosed in Tennessee. If a health carrier does not have a healthcare provider in its network with the appropriate training and experience to meet the particular health care needs of an insured, health carriers are requested to make exceptions to provide access to an out-of-network provider at the in-network cost-sharing.
6. **Utilization Review:** Timely decision making is essential to responding appropriately to COVID-19, and it is particularly important with respect to utilization review. Health carriers are reminded that utilization review decisions must be made in the timeframes required by Tenn. Code Ann. §§ 56-6-701, *et al.* Health carriers should not use preauthorization requirements as a barrier to access necessary treatment for COVID-19, and health carriers should be prepared to expedite utilization review and appeal processes for services related to COVID-19, when medically appropriate.
7. **Immunizations:** Although a vaccine is not currently available for COVID-19, it has been reported to be in development. In the event an immunization becomes available for COVID-19, the Department requests that health carriers immediately cover the immunization at no cost-sharing for all covered members.
8. **Access to Prescription Drugs:** Health carriers are requested, where appropriate, to make expedited formulary exceptions if the insured is suffering from a health condition that may seriously jeopardize the insured's health, life, or ability to regain maximum function or if the insured is undergoing a current course of treatment using a non-formulary prescription drug.

9. **Information Sharing:** To ensure that public health officials and the public are adequately informed about what the health insurance industry is doing in response to COVID-19, the Department requests that health carriers provide information on the steps they are taking in response to this Bulletin, particularly, the issues addressed in Items 1 – 8. Additionally, the Department requests that health carriers report to the Department whenever they receive a claim for COVID-19 testing in Tennessee. Health carriers may send that information to Bill Huddleston, Director of Insurance at Bill.Huddleston@tn.gov.

In order to protect the public, health carriers are requested to identify and remove barriers to testing and treatment for COVID-19. Health carriers must be prepared to address COVID-19 cases in Tennessee and the Department extends its appreciation to health carriers in working with the State to address this public health challenge. As the COVID-19 situation continues to evolve, health carriers should continually assess their readiness and be prepared to make any necessary adjustments.

Health carriers are advised to contact Bill Huddleston, Director of Insurance at 615-360-4467 or Bill.Huddleston@tn.gov with questions regarding this Bulletin.

###