



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

**California State Senate Health Committee
COVID Care: Role of Private Health Insurance**

November 23, 2020
Sabrina Corlette, J.D.

About Georgetown's Center on Health Insurance Reforms (CHIR)

- A team of experts on private health insurance
- Conduct research and policy analysis, provide technical assistance to federal and state officials and consumer advocates
- Based at Georgetown University's McCourt School of Public Policy
- Learn more at <https://chir.georgetown.edu/>
- Subscribe to CHIRblog at <http://chirblog.org/>
- Follow us on Twitter @GtownCHIR



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

Testing for COVID-19: Federal Requirements under FFCRA, as amended by CARES

- **Plans* must cover and waive cost-sharing for:**
 - FDA-approved diagnostic testing for COVID-19
 - Items and services delivered during provider office, urgent care, and ER visits “that result in an order for or administration of” a COVID-19 test; may be in-person or via telehealth
- **Prohibits use of prior authorization**
- **Requires plans to reimburse testing providers either the negotiated rate or the full cash price listed by the provider on a public website**
- **Applies through the public health emergency**



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

* Applies to self-funded employer and fully insured plans

Tri-agency* Guidance: Clarifies Scope of FFCRA Mandate

- Plans only required to cover “medically appropriate” tests, as determined by a licensed health care professional
 - Plans and insurers *not* required to cover workplace testing, or testing for public health purposes
- Test must be “ordered or administered” during visit
- Clarifies that at-home tests are included, but must be ordered by an attending provider

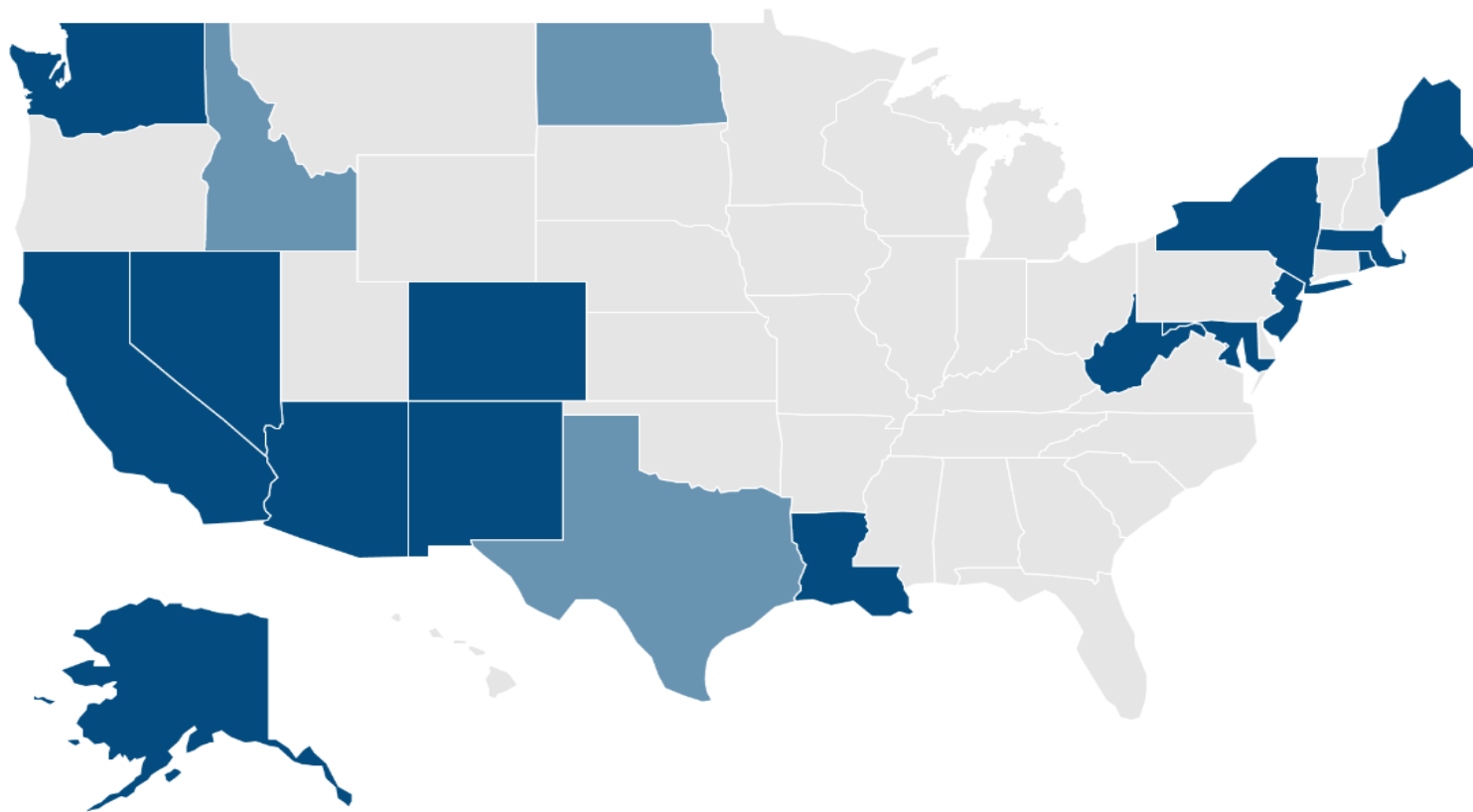
*Tri-agencies = U.S. Departments of HHS, Treasury, and Labor



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

State Action Stronger than Federal Standard



● No action taken ● Requirement ● No requirement, may be a recommendation or encouragement



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

*Source: Center on Health Insurance Reforms, for the Commonwealth Fund.

<https://www.commonwealthfund.org/publications/maps-and-interactives/state-action-related-covid-19-coverage-critical-services-private>

Coverage of a COVID-19 Vaccine Federal Requirements

- **ACA:** Plans must cover & waive cost-sharing for:
 - Vaccines recommended by ACIP* for “routine use”
 - Plans/insurers have up to 2 years to implement
- **CARES:** Plans/insurers have *15 days* to implement
- **Federal rules (Oct. 29, 2020) require:**
 - OON coverage for vaccine and administration
 - Providers must receive reasonable payment; cannot balance bill
 - Designation as for “routine use” not required



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

* ACIP = CDC’s Advisory Committee
on Immunization Practices

Vaccine Coverage: Potential Gaps for Consumers

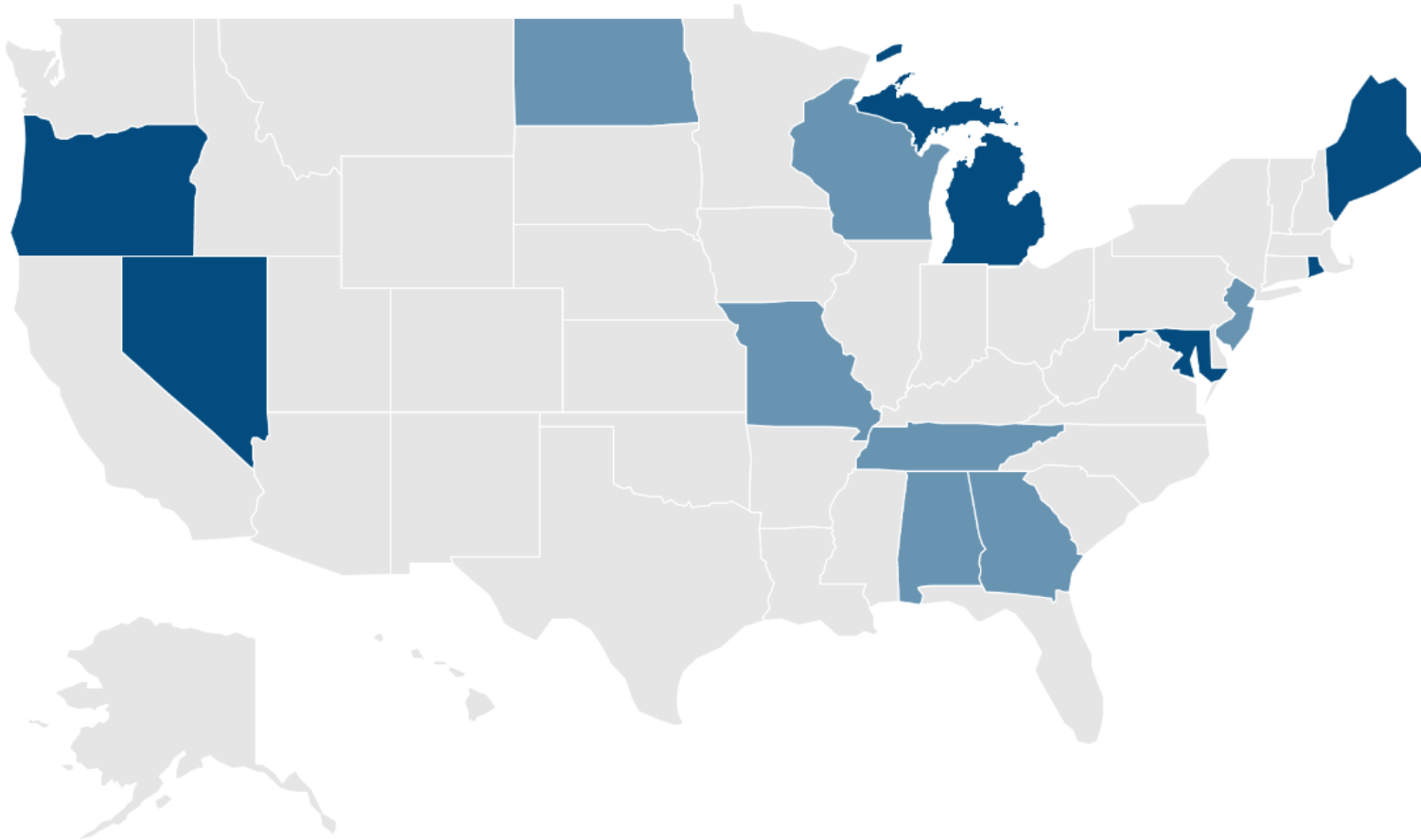
- **ACIP recommendation required**
- **Non-ACA compliant health plans exempt**
 - Health care sharing ministries, grandfathered plans, fixed indemnity products
- **Which vaccines?**
- **OON protections apply only through public health emergency**
- **Void if ACA is overturned in California v. Texas**



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

Limited State Action to Date



● No requirement, may be a recommendation or encouragement ● No action taken ● Requirement



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**

Thank you!

Sabrina Corlette, J.D.

Research Professor

Georgetown University Center on Health
Insurance Reforms

Sabrina.Corlette@georgetown.edu

@SabrinaCorlette

202-687-3003



Georgetown University Health Policy Institute

**CENTER ON HEALTH
INSURANCE REFORMS**