



DEPARTMENT OF

Professional &
Financial Regulation

STATE OF MAINE

• OFFICE OF SECURITIES
• BUREAU OF INSURANCE
• CONSUMER CREDIT PROTECTION
• BUREAU OF FINANCIAL INSTITUTIONS
• OFFICE OF PROF. AND OCC. REGULATION

A Consumer Guide to Insurance Provisions and Resources in Maine During the COVID-19 (Coronavirus) Crisis

The Insurance Superintendent's Emergency Insurance Order re COVID-19, issued on March 12, pertains to individual, small group and large group major medical health plans (except for self-insured plans*) and provides for the following:

- *Testing/screening:* If you first get a referral from your primary care provider, you can get tested for coronavirus with no deductible, copayment, or cost-sharing of any kind. Any lab processing fees for this test will also be paid by your insurance company with no cost to you.
- *Immunizations:* When a vaccine for COVID-19 becomes available, you will be able to get it with no deductible, copayment, or cost-sharing of any kind.
- *Emergency care:* Maine law has what's called a "prudent layperson standard," which means if you believe you need to get to an ER or your health will be in serious danger, you should go. Your insurance company cannot require that you get a prior authorization.
- *Network providers:* If you cannot see a provider in your insurance company's network because they're overwhelmed with other patients, you can go to an out-of-network provider and the insurance company is required treat the visit as if you went to an in-network provider.
- *Telehealth:* Telehealth services may be an option if you would prefer not to get a health service in person, or if you are under restrictions that limit your ability to make an in-person visit. Call your provider's office to see if they have these services available and how to access them. If you use these services, your insurance company will pay just as if you made in in-person visit.
- *Prescription drugs:* You should be able to get a one-time refill of your prescription before the scheduled refill date (with certain exceptions for drugs that are easy to misuse, such as opioids); check with your pharmacist or insurance company on how to do this. Also, if there's a shortage of the medication you're taking that's on your insurance company's formulary, the insurance company must make a substitute available to you as if that substitute were also on your formulary.
- *Communication:* Your health insurer's customer service representatives should be able to provide you with up-to-date information on how your benefits will work with COVID-19; this information should also be on the insurer's website. Insurance company webpages with COVID-19 information include:

- Aetna: <https://www.aetna.com/individuals-families/member-rights-resources/covid19.html>
- Anthem: <https://www.anthem.com/blog/member-news/how-to-protect/>
- Community Health Options: <https://healthoptions.org/individuals-families/covid-19-update/>
- Harvard Pilgrim Health Care: <https://www.unitedhealthgroup.com/newsroom/2020/2020-03-09-covid-19-support-resources.html>

Other resources:

- *From Maine CDC:* Anyone with **general questions** about COVID-19, including how to best protect yourself, options for testing, and travel considerations should contact 211. This service is available by dialing 211 (or 1-866-811-5695), texting your ZIP code to 898-211, or emailing info@211maine.org.
- *From Maine CDC:* Anyone **uninsured** is encouraged to find out if they are eligible for coverage options, including MaineCare. More information about MaineCare and other coverage options can be found at CoverME.gov/eligibility.
- *From CMS.gov:* **Medicare Advantage and Part D plans** have been given the flexibility by the Federal Government to: (1) waive cost-sharing for COVID-19 tests; (2) waive cost-sharing for COVID-19 treatment in doctor’s offices or emergency rooms, and services delivered via telehealth; (3) remove prior authorizations; (4) waive prescription refill limits; (5) relax restrictions on home or mail delivery of prescriptions; and (6) expand access to certain telehealth services. Talk with your Medicare Advantage or Part D plan to see if they are using this flexibility.
- *IRS:* The IRS has issued guidance stating that “receiving testing for and treatment of COVID-19 without a deductible, or with a deductible below the minimum deductible (self only or family)” will not disqualify a **high deductible health plan (HDHP)** that otherwise qualifies under section 223(c)(2)(A) of the Internal Revenue Code (Code). The guidance adds that “Therefore, an individual covered by the HDHP will not be disqualified from being an eligible individual under section 223(c)(1) who may make tax-favored contributions to a **health savings account (HSA)**.”

**Self-insured plans are certain types of plans operated by an employer. If you are unsure what kind of plan you have through your employer, check with your HR department.*

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