

## 2021 State Insurance Regulatory COVID-19 Updates

\*State insurance regulators have been issuing emergency regulations, guidance documents, and press releases to assist regulated entities regarding the provision of insurance-related services during the novel coronavirus (COVID-19) outbreak. The recent updates are denoted below, including:

- [California](#) issued a Bulletin establishing a moratorium on the cancellation and non-renewal of certain residential property insurance policies due to wildfire risk located in certain ZIP codes, among other things.
- [D.C.](#) issued a Notice clarifying that previous orders regarding relief to policyholders remain in place through March 31, 2021.
- [Massachusetts](#) issued a Bulletin clarifying that insurers must cover all costs associated with COVID-19 vaccine administration, among other things.
- [Washington](#) issued a Press Release clarifying that insurers must cover all costs associated with COVID-19 vaccine administration, among other things.

\* **This tracker focusses on regulatory actions from 2021. You can access the 2020 insurance regulatory tracker [here](#).**

\* In addition, we are tracking state efforts to enhance eligibility for workers' compensation for certain frontline employees. The requirements vary significantly from state to state. The states that have acted thus far include Alaska, Arizona, Arkansas, California, Florida, Kentucky, Michigan, Missouri, New Hampshire, New Mexico, North Dakota, and Washington.

\* Many of the states have issued bulletins that contain the following information:

- **Information Access.** Asks insurers to inform insureds of available benefits, quickly respond to insured inquiries, and consider revisions needed to streamline response and benefits for insureds.
- **Testing.** Requests/requires insurers to waive cost-sharing for (1) COVID-19 testing and (2) in-network provider office visits, urgent care center visits, and emergency room visits.
- **Telehealth Delivery of Services.** Reminds insurers to ensure their telehealth programs are robust and will be able to meet increased demand.
- **Network Adequacy and Access to Out-of-Network Services.** Requests insurers to verify their provider networks are adequate to handle a potential increase in the need for health care services and requests insurers that do not have a provider in their networks with the appropriate training/experience to meet the health care needs of insureds make exceptions to provide access to an out-of-network provider at the in-network cost-sharing level.
- **Immunizations.** In the event an immunization becomes available, requests that insurers immediately cover the immunization at no-cost sharing.
- **Access to Prescription Drugs.** Asks insurers to make expedited formulary exceptions in certain circumstances and requests that insurers allow insureds to fill and refill prescription medications for up to a 90-day supply/until the prescription expires.

Not every state has followed this model and some states deviate in important respects (e.g., by specifically addressing surprise billing, ambulance services, etc.). The below survey details the available state resources, the date on which the resources were issued, and a brief summary offering a general overview of

the guidance offered. In particular, it focuses on cost-sharing waivers, telehealth services, treatment of out-of-network providers offering in-network services, etc.

\* We envision this as an evergreen document that we will aim to update weekly. If you operate in a state and notice that we have not included the most up-to-date guidance, please let us know.

State	State Resources	Date Issued	Summary
<b>California</b>	<a href="#">Bulletin 2020-13</a>	12/31/2020	<ul style="list-style-type: none"> <li>• <b><u>Establishes</u></b> a moratorium on the cancellation and non-renewal of certain residential property insurance policies due to wildfire risk located in certain ZIP codes, among other things.</li> </ul>
<b>D.C.</b>	<a href="#">Notice   Press Release</a>	01/04/2021	<ul style="list-style-type: none"> <li>• <b><u>Notifies</u></b> insurers that all Orders and Bulletins regarding relief to policyholders are to remain in place through March 31, 2021 (e.g., the end of the public health emergency).</li> </ul>
<b>Massachusetts</b>	<a href="#">Bulletin 2020-32</a>	12/29/2020	<ul style="list-style-type: none"> <li>• <b><u>Clarifies</u></b> that insurers must cover all costs (e.g., copays, coinsurance, and deductibles) associated with COVID-19 vaccine administration.</li> <li>• <b><u>Establishes</u></b> additional requirements for insurers to cover COVID-19 vaccines.</li> </ul>
	<a href="#">Bulletin 2020-30</a>	12/29/2020	<ul style="list-style-type: none"> <li>• <b><u>Reminds</u></b> insurers of a previous bulletin regarding premium grace periods, among other things.</li> </ul>
<b>Washington</b>	<a href="#">Press Release</a>	12/30/2020	<ul style="list-style-type: none"> <li>• <b><u>Clarifies</u></b> that insurers must cover all costs (e.g., copays, coinsurance, and deductibles) associated with COVID-19 vaccine administration.</li> </ul>