TDCI INSURANCE DIVISON COVID-19 FACT SHEET

INSURANCE BULLETINS

COVID-19 Coverage Guidance to Health Carriers 3/9/2020

- The Department is requesting health carriers providing coverage through health benefit plans to Tennesseans to take the following measures:

1. Preparedness
2. Information Access
3. Testing for COVID-19
4. Telehealth Delivery of Services
5. Network Adequacy and Access to Out-of-Network Services
6. Utilization Review
7. Immunizations
8. Access to Prescription Drugs
9. Information Sharing

COVID-19 Guidance to Carriers 3/24/2020

- The Tennessee Department of Commerce and Insurance requests carriers provide employers and individuals with as much flexibility as practicable during the period of the COVID-19.
- Carriers should work with policy holders who have concerns about their ability to timely pay premium to ensure that policy holders can maintain their existing insurance coverage.
- Carriers across all lines of business, should explain to consumers affected by COVID-19 options such as grace periods to maintain continuous coverage during this difficult time.
- Additionally, carriers should explore ways to eliminate late fees, non-sufficient funds fees, and installment fees.
- Carriers should also find the best ways to address concerns with the timing of premium payments in order to delay any cancellation of coverage.
- Finally, carriers should explore ways to streamline administrative processes.

COVID-19 Guidance to Carriers on Automobile Coverage for Deliveries 3/26/2020

- Under Executive Order No. 17, restaurants may remain open for delivery service. As such, restaurants that do not normally offer delivery may begin delivery service, and employees who typically do not deliver food may be called on to temporarily provide food delivery services using their own personal vehicles.

- Personal automobile policies may not provide coverage for vehicles used for commercial purposes, like food delivery and these drivers may not be covered under a restaurant's commercial automobile policy.

COVID-19 Guidance to Carriers on Automobile Coverage for Deliveries 3/26/2020

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- Personal automobile policies may not provide coverage for vehicles used for commercial purposes, like food delivery and these drivers may not be covered under a restaurant's commercial automobile policy.
- As a result, many of the temporary food delivery drivers may be inadvertently uninsured as they carry out their job duties.
- Therefore, the Department requests that: Carriers add delivery coverage to restaurants' commercial or the employees' personal auto policies for restaurant employees engaged in delivering food on behalf of a restaurant impacted by the mandated changes in restaurant operations.
- The Department will approve riders or endorsements based on this request within one business da Carriers may allow a restaurant to retroactively add additional employees not previously named under a restaurant's commercial automobile policy if an employee is operating a vehicle covered by the policy within the scope of their employment.

COVID-19 Guidance Regarding Premium Finance Agreements 4/3/2020

- The Department of Financial Institutions is encouraging premium finance companies, to the greatest extent possible, to accommodate insureds by extending or providing grace periods for loan payments or to be flexible with respect to determinations of default under premium finance agreements.
- The Department of Commerce and Insurance is encouraging insurance carriers to work with premium finance companies to facilitate any grace period modifications.

GOVERNOR LEE EXECUTIVE ORDERS

Executive Order No. 15: AN ORDER SUSPENDING PROVISIONS OF CERTAIN STATUTES AND RULES AND TAKING OTHER NECESSARY MEASURES IN ORDER TO FACILITATE THE TREATMENT AND CONTAINMENT OF COVID-19 3/19/2020

- Directs TDCI's Division of Insurance and the Tennessee Department of Health to urge health insurance carriers in Tennessee to identify and remove any burdens to responding to COVID-19 and improve access to treatment options and medically necessary screening and testing for the virus.
- Directs the Department to urge carriers to provide coverage for the delivery of clinically appropriate, medically necessary covered services via tele-medicine.
- Further, Governor Lee's Executive Order urges carriers to not impose prior authorization requirements on medically necessary treatment related to COVID-19 delivered by innetwork providers via telemedicine.

GOVERNOR LEE EXECUTIVE ORDERS
(CONT'D)

Executive Order 17: AN ORDER TO MITIGATE THE SPREAD OF COVID-19 BY LIMITING SOCIAL GATHERINGS, DINE-IN SERVICE, AND GYM USE, AND EXPOSURE AT NURSING AND RETIREMENT HOMES, AND PROVIDING FLEXIBILITY FOR RESTAURANTS REGARDING THE SALE OF ALCOHOL 3/22/2020

- Department requested from carriers their cooperation in ensuring restaurant employees are able to continue to work by using their own insured personal automobiles for commercial food delivery during the current COVID-19 emergency.

Executive Order 22: AN ORDER DIRECTING TENNESSEANS TO STAY HOME UNLESS ENGAGING IN ESSENTIAL ACTIVITIES TO LIMIT THEIR EXPOSURE TO AND SPREAD OF COVID-19 3/30/2020

- All persons in Tennessee are urged to stay at home except while engaging in an Essential Activity or an Essential Service.
- Businesses that do not perform Essential Services shall not open for access or use by the public.
- Essential Activities and Services, while allowed, should be limited to the greatest extent possible.
- Local orders remain in place.
- Essential activities include those activities that are necessary for personal or household health, personal or household supplies or services, outdoor activity, or visiting a place of worship or attending a wedding or funeral among others.
- Essential travel includes travel related to Essential Activities, performing Essential Services, or travel to care for vulnerable persons among others.
- Essential Services – look at full text for list.

Executive Order 23: AN ORDER AMENDING EXECUTIVE ORDER NO. 22, REQUIRING TENNESSEANS TO STAY HOME UNLESS ENGAGING IN ESSENTIAL ACTIVITY OR ESSENTIAL SERVICES 4/2/2020

- Amends Executive Order No. 22 by requiring Tennesseans to remain at home unless engaging in an Essential Activity or Essential Service.

Executive Order 27: AN ORDER EXTENDING TEMPORARY SOCIAL DISTANCING AND STAY-AT-HOME PROVISIONS OF EXECUTIVE ORDER NOS. 17, 21, 22, AND 23 UNTIL APRIL 30, 2020, TO PRESERVE AND INCREASE THE CONTAINMENT OF COVID-19 4/13/2020

- An order extending temporary social distancing and stay-at-home provisions of Executive Orders 17, 21, 22, and 23 until April 30th, 2020, to perverse and increase the containment of COVID-19.

FAQ's

Will my insurance carrier cover the cost of testing for the COVID-19 virus? Yes. At TDCI's request, all licensed health insurance carriers in Tennessee have agreed to waive the costs (copays and deductibles) of all testing for the COVID-19 virus. Additionally, several carriers have waived copays and cost-sharing for treatment of COVID-19, as well. Carriers have agreed to ensure that telehealth visits will be covered for medically appropriate services to limit the further spread of COVID-19. To learn more, read our guidance here.

What steps has TDCI taken to help consumers maintain insurance coverage during the pandemic? TDCI has urged insurance carriers to maintain existing insurance coverage for consumers during the pandemic. A copy of our guidance can be found here.

What information is available to consumers about business interruption insurance coverage? In order to assist stakeholders, TDCI has created a separate FAQ devoted to various questions about business interruption insurance that can be accessed here.

Are auto insurance carriers offering refunds to customers? Yes. In many cases, auto insurance carriers are proactively and voluntarily returning a percentage of auto premium payments to Tennessee customers. To find out if your carrier is offering refund payments, consumers should contact their carrier or their licensed insurance professional directly.

What is TDCI doing to ensure restaurant delivery drivers have auto insurance coverage during the pandemic? Restaurants may remain open for order to-go and via delivery during the COVID-19 pandemic and, as such, restaurant workers may deliver food. However, some drivers may not be covered under a restaurant s commercial automobile policy. TDCI has requested that licensed property and casualty insurance carriers work with restaurants and employees to add delivery coverage to restaurant's commercial policies or employees' personal auto policies for those employees engaged in delivering food on behalf of a restaurant. TDCI will approve riders or endorsements based on this request within one business day. Additional details about our guidance can be found here.