



ADVISORY

To: All Insurance Companies and other Entities Licensed under Chapter 58 of the North Carolina General Statutes

From: Life & Health Division

Date: January 10, 2022

Subject: **COVID-19 Variant Surge**

The North Carolina Department of Insurance (the Department) is issuing this advisory to encourage insurers that offer health benefit plans to North Carolina residents to take the following immediate measures related to the COVID-19 variant surge:

- Telehealth Delivery of Services.** Given that COVID-19 is a communicable disease, some insureds may be using telehealth services, if offered, instead of in-person health care services. Insurers are reminded to review provisions in current policies regarding the delivery of health care services via telehealth and ensure their telehealth programs with participating providers are robust and will be able to meet any increased demand.
- Network Adequacy and Access to Out-of-Network Services.** Insurers are requested to verify their provider networks are adequate to handle a potential increase in the need for health care services in the event more COVID-19 cases are diagnosed in North Carolina. Insurers are reminded that, pursuant to N.C. Gen. Stat. § 58-3-200(d), no insurer shall penalize an insured or subject an insured to the out-of-network benefit levels offered under the insured's approved health benefit plan, including an insured receiving an extended or standing referral under N.C. Gen. Stat. § 58-3-223, unless contracting health care providers able to meet health needs of the insured are reasonably available to the insured without unreasonable delay.
- Prior Authorization and Cost-sharing Requirements for COVID-19.** The Department requests insurers waive prior authorization for COVID-19 diagnostic tests and covered services that are medically necessary and consistent with Centers for Disease Control and Prevention (CDC) guidance for insureds if diagnosed with COVID-19. Insurers are also requested to cover medically necessary diagnostic tests that are consistent with CDC guidelines related to COVID-19 at no cost to the insured.

The NCDOI further requests that all insurers offering health benefits communicate if temporarily waiving prior authorization requirements for post-acute care and for how long. Please refer any questions to this advisory to the attention of Ted Hamby at LHInbox@ncdoi.gov.