



# INSIDE THE BELTWAY

## SIIA POLICY & REGULATORY NEWS: COVID-19 LEGISLATIVE UPDATE

### COVID RESPONSE INFORMATION FOR THE SELF- INSURANCE INDUSTRY

**C**ongress recently passed the first coronavirus response bill, the *Coronavirus Preparedness and Response Supplemental Appropriations Act of 2020*. This bill contained \$8.5 billion in funding for small business loans, state departments of health, vaccine development and a ramp-up of now ongoing testing.

Congress also passed the second phase of coronavirus response, the *Families First Coronavirus Response Act*, with a more focused policy angle. Highlights of this legislation include paid sick and family leave, SNAP programs for seniors, and insurer coverage mandates for COVID-19 testing.

The bill requires private health plans, including both fully-insured and self-insured plans, to provide coverage for COVID-19 diagnostic testing, including the cost of provider, urgent care center and emergency room visits in order to receive that testing and any related medical services during that time.

This coverage must be provided at no cost to the consumer, although the legislation as passed does not currently require coverage for treatment. However, as the virus continues to develop, Congress is likely to turn its attention to treatment and other medical services beyond just the initial testing scope.

SIIA also understands that a number of self-funded service providers and employers are proactively and voluntarily offering coverage and waiving co-pays for certain testing and treatment.

Both Congress and the Administration are now in negotiations over a third coronavirus response bill and economic stimulus package. Senate Majority Leader McConnell unveiled a comprehensive \$1 billion package that offers financial assistance for individuals and families, small business relief, financial assistance for impacted industries such as airlines, hospitality and health care, and additional resources for state and local government response and recovery.

In addition, this proposal would change the HSA rules to allow telehealth and primary care contracts before the deductible is met, and offset Medicare sequestration cuts.

SIIA understands that some in Congress are also pushing to include language in this third response package to prohibit surprise medical bills. As you know, prohibiting surprise out-of-network medical bills has been a bipartisan priority since last year, though policymakers have disagreed on the correct approach to billing reimbursement, landing between a benchmark and arbitration approaches.

While it is unknown at this time whether a congressional package will include surprise billing prohibitions, policymakers may at the very least prohibit surprise billing for COVID-19 related treatment, an approach that SIIA would support.

SIIA continues to track COVID related policy and regulatory activities related to self-funded plans, employers and service providers. In addition, please watch for a number of topic specific webinars in the weeks to come.

If you have questions about the recent impacts of COVID-19 legislation and self-funded plans or would like more information, please contact Ryan Work, SIIA vice president of federal government affairs, at [rwork@siia.org](mailto:rwork@siia.org). ■



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