



DEPARTMENT OF

Professional &  
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STATE OF MAINE

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

## A Consumer Guide to Insurance Provisions and Resources in Maine During the COVID-19 (Coronavirus) Crisis - updated 3.24.20

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:* You can get tested for coronavirus with no deductible, copayment, or cost-sharing. Any lab processing fees for this test will also be at 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.
- *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. Also, doctors/providers will have the freedom to move between facilities to where the need for their services is greatest.
- *Telehealth:* For the duration of the emergency, telehealth services can be done over the phone or with commonly used apps (for example: FaceTime, WhatsApp or Skype, as long as they are private), in addition to the more traditional telehealth methods. If you use telehealth services, your insurance company will pay the provider the same rate as if you made an 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](mailto: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](http://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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