

HENDERSON BROTHERS UPDATE

New FAQs Provide Clarity on Plan Coverage Requirements for COVID-19 Testing

Date: June 25, 2020

On June 23, 2020, [additional FAQs](#) were released regarding implementation of the Families First Coronavirus Response Act (the FFCRA) and the Coronavirus Aid, Relief, and Economic Security Act (the CARES Act). The 18 FAQs that have been prepared jointly by the DOL, HHS and the IRS address COVID-19 health coverage issues for both insured and self-insured health plans, including:

- Coverage for certain at-home testing must be provided at no cost to member (no “cost-share”) #Q4
- Testing for surveillance or employment purposes is not required to be covered #Q5
- Facility fees charged with administration of the test must be covered at no cost share #Q7
- The CARES Act prohibits balance billing of mandated testing services #Q9
- In general, Health plans must reimburse non-participating providers their publicized cash price for the test #Q10
- The requirement to reimburse a non-participating provider an amount that equals the cash price of a COVID-19 test is contingent upon the provider making public the cash price for the test or the plan may seek to negotiate a rate #Q11
- Health Plans are permitted to reverse their COVID-19 benefit changes once the public health emergency or national emergency declaration is no longer in effect without the standard advance notification generally required as long as they notify participants within a reasonable timeframe in advance of the reversal of the changes #Q13