

## EBD COVID-19 FAQ and Carrier Link Document March 31, 2020

### Coverage for COVID-19 Testing

- 1. If someone tests positive for COVID-19 and needs to file a disability claim, what else will be required as documentation? If someone does not meet the CDC criteria for testing how will demonstrate the inability to perform essential duties of job?**

Each disability carrier is handling the adjudication of STD according to their claims handling process. Typically, they will request medical records from the attending physician including tele health and other providers providing results of a drive through test. Some are adjusting their claim and leave process to help reduce stress. Examples of this include 14-day approval on Short Term Disability (STD) claims with a verbal confirmation of symptoms and treatment of COVID-19 from the employee, COVID-19 claims being expedited for claim decision and payment by many carriers, and working with an employee if they are unable to provide medical documentation to extend their claim. Reach out to your disability carrier and ask what if any adjustments to their process they are making. Self-Funded disability plans adjustments are typically able to direct their TPA or carrier on these requested changes.

- 2. How are COVID-19 diagnostic tests, office visits and telehealth services covered? Is pre-authorization required?**

Per the Families First Coronavirus Response Act (FFCRA), all group health plans and health insurers in the individual and group markets (including self-funded health plans), must provide COVID-19 testing with no cost-sharing or prior authorization requirements.

If your plan is self-funded, have your TPA or TPG team member check with your stop loss carrier for approval.

- 3. Specific to High Deductible Health Plans, how are testing and related office visits covered?**

Yes, HDHP/HSA plans are covering the COVID-19 test at no cost share prior to the member meeting their deductible. For additional information, please refer to the carrier links, refer to [IRS Notice on High Deductible Plans with HSA](#), or contact a TPG team member for additional clarification.

- 4. Are COVID-19 Antibody tests covered by insurance carriers?**

Coverage of COVID-19 antibody tests will vary by insurance carriers. Please contact your insurance carrier to verify stance on whether these anti-body tests will be covered.



## Layoff/Leave of Absence

**5. What do our contracts state about what triggers a COBRA notice (medical, dental, vision, FSA, and HRA) for employees on leave?**

Employers should review all benefit plan SPDs and handbooks to ensure that they have language indicating continuation of benefits where required by law. For example, language should be broad enough to support any regulation federal or state that requires continuation of coverage. In addition, if you have any leave policies outside of state and federal entitlements then eligibility for continuation of benefits should be explicitly included in the plans. For example, parental leave, furlough, corporate leave for those not eligible for federal or state leave these policies that provide continuation of benefits need to be in the plan and approved by any insurance carrier providing coverage (including stop loss).

**6. Can employees on a "leave of absence" collect unemployment?**

This would be a state by state question and we would refer employers to the state website for eligibility for unemployment. Please find links to each state:

Washington: <https://esdorchardstorage.blob.core.windows.net/esdwa/Default/ESDWAGOV/newsroom/COVID-19/covid-19-scenarios-and-benefits.pdf>

Oregon: [https://www.oregon.gov/employ/Documents/EDPUB190\\_0320.pdf](https://www.oregon.gov/employ/Documents/EDPUB190_0320.pdf)

Montana: <http://dli.mt.gov/Portals/57/Documents/covid-19/COVID-19-ScenariosAndBenefits.pdf?ver=2020-03-18-113453-153>

**7. What about employees on 'stand-by'?**

Please see the below links for unemployment websites for each state:

Washington: <https://apps.leg.wa.gov/WAC/default.aspx?cite=192-110-015>

Oregon: <https://www.oregon.gov/EMPLOY/Documents/UIPUB350-ClaimantHandbook.pdf>

Montana: <http://uid.dli.mt.gov/>

Please refer to your own state unemployment office for eligibility and determination rules specific to a standby designation, as they vary by state.

**8. Are benefits available via COBRA or state continuation (medical, prescription drug, dental, vision and FSA), if available, to employees that have been laid off?**

Collecting unemployment will not interfere with an employee's COBRA rights. In addition, any employees that have a lost-job based health coverage will qualify for a special enrollment period



via the exchange/marketplace. Typically, we see a time period of 60 days from the day coverage is lost to enroll.



**9. How does eligibility for benefit continuation work during a leave of absence and how is COBRA triggered?**

A leave will not typically result in a termination of employment. It will likely result in a reduction of hours, but, depending on the arrangement, it won't always result in a loss of coverage under the plan. Moreover, the loss of coverage, if there is one, often occurs only for an employee who doesn't return from a leave as planned or only if a leave extends beyond a certain period of time. In the event a leave does not result in a loss of coverage under the plan, an employer would then treat the end of the leave as the qualifying event which would trigger a COBRA notification. COBRA applies to medical/prescription drug, dental, vision, Flex Spending Accounts, and Health Reimbursement Accounts.

**10. Will recalled employees have their waiting period waived when they return to work?**

If the re-hire is within a leave of absence time period, then yes, waiting period waived. If outside of the time period, then re-hire provisions within the plan documents would prevail.

**11. If an employer transitions an employee to COBRA and the employer pays the COBRA premium, are those COBRA premiums tax deductible to the employer?**

Unfortunately, COBRA premiums paid by an employer are not considered a tax-deductible expense to the employer. Please consult your tax professional for additional guidance.

**12. How do I administer Section 125 when an employee is on a leave of absence?**

Specific to medical premiums, an employer may (a) allow an employee going on unpaid leave to either revoke or continue health coverage (including health FSA coverage); or (b) continue health coverage, but allow the employee to discontinue contributions. If the employer continues coverage during an unpaid leave, the employer may recover the employee's share of the premiums when the employee returns to work.

- Upon returning from leave, the employee has a right to be reinstated in group health plan coverage on the same terms as before the leave (subject to any changes in benefit levels) if such coverage terminated during the leave (either by revocation or due to nonpayment of premiums). This reinstatement right includes the right to revoke or change elections under the permitted election change regulations on the same terms as employees who are working and not on leave.
- An employee who elects to continue health coverage while on unpaid leave may do so in one of three ways: prepay, pay-as-you-go, and catch-up.



Specific to unreimbursed medical expenses, the account would be suspended during the time while on leave. When the employee returns, they could resume their account, drop the account or make an election change. If they want to resume their account, they would need to make up the missed contributions or they would not have the ability to submit claims incurred while on leave.

Dependent daycare expense elections generally can be altered when leave commences, typically due to a change in provider rule. Meaning, if an employee is on leave, and they no longer need daycare, then can reduce their contribution accordingly.

Please consult both your plan document and your Section 125 administrator for additional information and guidance.

### **13. What is the difference between a layoff, furlough and stand-by status for employees?**

A furlough is voluntary or involuntary unpaid leave or a reduction in hours where employees remain employed and generally eligible for benefits. This is an alternative to a traditional layoff, which involves a termination from employment with the potential for rehire at a later date (in which employees are no longer eligible for most benefits during this time). A furlough can reduce the employer's overall payroll costs, while still maintaining some protections for employees. Furlough may allow employers to retain employees, while likely making employees eligible for unemployment benefits.

A stand-by is similar to a furlough. However, with a stand-by status an employee has a probable return to work date within 8 weeks (56 days) of the date of the request. Employers should request standby using the "Request for Separation Information" form when a worker has applied for unemployment benefits.

Unemployment benefits will vary by state, please contact the below department state specific websites for additional information surrounding unemployment eligibility and determination rules.

Washington: <https://apps.leg.wa.gov/WAC/default.aspx?cite=192-110-015>

Oregon: <https://www.oregon.gov/EMPLOY/Documents/UIPUB350-ClaimantHandbook.pdf>

Montana: <http://uid.dli.mt.gov/>

### **14. Specific to the ACA and the look-back measurement period, how would the measurement and stability periods be affected by a lay-off?**

If the employee is in a stability period and works 0 hours in a month, the employee can be offered COBRA under reduction in hours. COBRA is considered an offer of coverage, therefore this change to COBRA could result in an affordability penalty. If the employee is laid off for less



than 13 weeks, than the employee is picked back up with being measured in the standard (or the person's initial) measurement period. If they are gone more than 13 weeks, the employee is treated as a new hire and they start over in terms of measurement period and earning full-time status. Please note, for educational institutions, this time period is 26 weeks.

## General Questions

**15. What resources are available beyond the EAP for those that are experiencing depression or other mental health conditions due to COVID-19?**

Many carriers are introducing additional resources. Please check with your carriers. In addition, TPG has created a section on our COVID-19 HUB that provides several great resources to support workforce behavioral health.

**16. Are Telehealth visits by primary care providers covered and if so, will Telehealth cost shares be waived during the outbreak?**

This information is rapidly changing by carrier. Our recommendation would be to reach out to the specific carrier and ask how they will treat telehealth primary care visits.

**17. Are insurance companies extending the grace period and if so, for how long?**

In general, insurance companies for all lines of coverage are extending the grace period before policies will be canceled for non-payment of premium. Washington is mandating 60 days per OIC order. The state of Oregon has ordered carriers to expand grace period to a minimum of 30 days. Montana has requested that carriers consider extending their grace periods, but did not mandate a specific time period.



## COVID-19 Carrier/Vendor Partner Links

Aetna: <https://www.aetna.com/individuals-families/member-rights-resources/covid19.html>

Allegiance: <https://www.askallegiance.com/>

Ameritas: <https://www.ameritas.com/newsroom/ameritas-responds-to-coronavirus-covid-19/>

Asuris Northwest Health: <https://www.asuris.com/member/health-lifestyle/coronavirus-covid-19>

Benefit Help Solutions: TBD

Berkshire Hathaway: [https://bhspecialty.com/wp-content/uploads/2020/03/BHSI\\_MSL-Important-Information-Covid-19\\_3-19-20.pdf](https://bhspecialty.com/wp-content/uploads/2020/03/BHSI_MSL-Important-Information-Covid-19_3-19-20.pdf)

Blue Cross Blue Shield of Montana: <https://www.bcbsmt.com/covid-19.html>

Blue Shield of

California: [https://www.blueshieldca.com/bsca/bsc/wcm/connect/sites/sites\\_content\\_en/coronavirus?utm\\_source=bscacomhome&utm\\_medium=primarycard&utm\\_campaign=COVID-19](https://www.blueshieldca.com/bsca/bsc/wcm/connect/sites/sites_content_en/coronavirus?utm_source=bscacomhome&utm_medium=primarycard&utm_campaign=COVID-19)

CIGNA: <https://www.cigna.com/individuals-families/health-wellness/topic-disaster-resource-center/coronavirus-public-resources>

Delta Dental Oregon: [https://www.modahealth.com/dental/ods\\_deltadental.shtml](https://www.modahealth.com/dental/ods_deltadental.shtml)

Delta Dental Washington: <https://www.deltadentalwa.com/>

Discovery Benefits: <https://go.discoverybenefits.com/covid-19>

EBMS: <https://www.cdc.gov/coronavirus/2019-ncov/index.html>

Guardian: [FAQs](#)

The Hartford: <https://www.thehartford.com/coronavirus/employee-benefits>

HealthNet: <https://www.healthnetoregon.com/coronoavirus-info.html>

Health Equity/Wage Works: <https://www.healthequity.com/coronavirus/>

HM Insurance Group: <https://hmig.com/coronavirus-covid-19-resource-page/>

HMA: <https://www.accesshma.com/>

Kaiser of Oregon: <https://healthy.kaiserpermanente.org/oregon-washington/health-wellness/coronavirus-information>

Kaiser of Washington: <https://healthy.kaiserpermanente.org/washington/health-wellness/coronavirus-information>



Lifemap: <https://www.lifemapco.com/news/news/covid-19-new-cases-disease-arise-lifemap-ready>

Lincoln Financial: <https://www.lfg.com/public/COVID-19guidance>

MetLife: [https://www.metlife.com/COVID-19\\_US\\_Customer/](https://www.metlife.com/COVID-19_US_Customer/)

Moda Health: <https://www.modahealth.com/community/covid-19/>

MRM Stop Loss: [https://www.mrmstoploss.com/mehb\\_expert\\_opinion\\_details#Covid-19](https://www.mrmstoploss.com/mehb_expert_opinion_details#Covid-19)

MunichRE: <https://www.munichre.com/en/company/media-relations/media-information-and-corporate-news/corporate-news/2020/2020-03-19-corona.html>

Mutual of Omaha: <http://www.mutualofomaha.com/group-benefits/covid-19>

Optum: <https://www.optum.com/covid-19.html>

PacificSource: <https://blog.pacificsource.com/>

Providence: <https://healthplans.providence.org/support-for-health-plan-members-and-medicare-beneficiaries-impacted-by-covid19/>

Premera: [https://www.premera.com/wa/employer/coronavirus-faq/?mkt\\_tok=eyJpIjoiWXPnd01UUmxaV1V3TmZMYlslInQiOiJ3WE9ScVVKZEprMHZPaIR0QStHOWRHU3RcLzV6N2Rvb1dneVRWMjFIUzE5all3REJLZ2drNDd1TXdyTHJUTExxMU5HQ1JxNDRXU0Nxd1BhbnI2ZzIqVjlmGdKYzAxRXNucDIkN2VzN1oxOGh5d0R3Y0NEbHNldGd1bDhpdHJXdnMifQ%3D%3D](https://www.premera.com/wa/employer/coronavirus-faq/?mkt_tok=eyJpIjoiWXPnd01UUmxaV1V3TmZMYlslInQiOiJ3WE9ScVVKZEprMHZPaIR0QStHOWRHU3RcLzV6N2Rvb1dneVRWMjFIUzE5all3REJLZ2drNDd1TXdyTHJUTExxMU5HQ1JxNDRXU0Nxd1BhbnI2ZzIqVjlmGdKYzAxRXNucDIkN2VzN1oxOGh5d0R3Y0NEbHNldGd1bDhpdHJXdnMifQ%3D%3D)

Principal: <https://www.principal.com/insurance-coverage-and-covid-19>

Regence Blue Cross Blue Shield of Oregon and

Regence Blue Shield of Washington: <https://www.regence.com/member/health-lifestyle/coronavirus-covid-19>

Reliance Standard: <http://www.reliancestandard.com/Our-Response-to-Coronavirus-COVID-19/3233/>

The Standard: <https://www.standard.com/covid-19>

Sun Life: [https://www.sunlife.com/us/COVID-19?WT.ac\\_id=en-us:Digital\\_adv:SunLife:covid19](https://www.sunlife.com/us/COVID-19?WT.ac_id=en-us:Digital_adv:SunLife:covid19)

Superior Vision: <https://superiorvision.com/coronavirus-update/>

Symetra: <https://www.symetra.com/admin-pages/covid-19-updates/>

UMR: <https://www.umar.com/oss/cms/UMR/SharedDocuments/UM1612.pdf>

United Concordia: <https://www.unitedconcordia.com/dental-insurance/home/coronavirus/>

United HealthCare: <https://www.uhc.com/health-and-wellness/health-topics/covid-19>





Unum: [unum.com/covid-19](https://unum.com/covid-19)

Voya: <https://www.voya.com/voyas-response-to-covid-19>

VSP: <https://www.vsp.com/eyewear-wellness/in-the-community/coronavirus-response>

Willamette Dental: <https://willamettedental.com/company-news/coronavirus-notice/>

