



**COMMONWEALTH OF MASSACHUSETTS**  
**Office of Consumer Affairs and Business Regulation**  
**DIVISION OF INSURANCE**

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COMMISSIONER OF INSURANCE

**BULLETIN 2020-15**

To: All Commercial Insurers, Blue Cross and Blue Shield of Massachusetts, Inc.,  
and Health Maintenance Organizations

From: Gary D. Anderson, Commissioner of Insurance

Date: April 30, 2020

Re: Relaxing Certain Health Plan Administrative Procedures During the COVID-19 Health  
Emergency

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The Division of Insurance (“Division”) issues this Bulletin 2020-15 to supplement the provisions of recent bulletins, including Bulletin 2020-02 (“Addressing COVID-19 [Coronavirus] Testing and Treatment”); Bulletin 2020-04 (“Emergency Measures to Address and Stop the Spread of COVID-19 [Coronavirus]”); and Bulletin 2020-10 (“Credentialing and Prior Authorization During the COVID-19 [Coronavirus] Health Crisis”) to provide information to Commercial Health Insurers, Blue Cross and Blue Shield of Massachusetts, Inc., and Health Maintenance Organizations (“Carriers”) about the Division’s expectations regarding Carriers taking steps to streamline utilization review and other administrative processes during this public health crisis.

**The Coronavirus Risk**

As the Division has noted in other recent bulletins, the public health and societal impact resulting from the spread of the Coronavirus has dramatically impacted the Commonwealth. In order to minimize the impacts going forward, it is essential that government and business leaders take all appropriate steps to safeguard the general public and well-being of the Commonwealth’s citizens. At this time, we are aware that our health care delivery system has shifted resources to make sure that appropriate medical staff and inpatient beds are available to treat those afflicted by COVID-19.

As hospitals, health centers, medical doctors, and other health care practitioners are devoting their time and resources to address COVID-19, we need to ensure that they are not held to certain utilization review and administrative procedures that take them away from COVID-19 work. Therefore, the Division is notifying Massachusetts Carriers that it expects them to take all necessary

steps to streamline utilization review and administrative procedures during the state of emergency declared by Governor Baker on March 10, 2020 by Executive Order No. 591.

### **Increased Flexibility in Health Carrier Administrative Processes**

The Division expects Carriers to take steps to address the following for the duration of the state of emergency unless otherwise indicated:

- **Forego prior authorization reviews or concurrent reviews for any scheduled surgeries and behavioral health or non-behavioral health admissions at acute care and mental health hospitals for a period of 60 days (or at the end of the emergency period if the public health emergency ends prior to the conclusion of the 60 day period).** The Division previously requested that Carriers forego prior authorization for COVID-19 treatment in Bulletin 2020-13. This Bulletin applies to all inpatient treatment, both COVID-19 and non-COVID-19. Both acute care hospitals and mental health hospitals will be expected to notify Carriers about any inpatient admissions within 48 hours of a patient being admitted for care and provide updates, a minimum of every five (5) days to enable Carriers to support discharge planning.
- **Devote Carrier resources to assist hospitals with discharge planning.** Carriers should continue to assist hospitals in identifying and preparing for members' anticipated health needs after leaving the hospital. Both acute care hospitals and mental health hospitals will be expected to notify Carriers of discharges and request assistance with admissions and aftercare planning to reduce boarding and wait times for admissions.
- **Provide hospitals additional time to respond to Carrier requests for claims review information or to process internal and external appeals and document claims.** Carriers may request necessary and appropriate information, but they should permit hospitals additional time, when requested, so that hospital resources can instead be devoted where necessary to coordinate COVID-19 care.
- **Delay audits of hospital payments.** If Carriers notify hospitals that they are delaying such audits because of the state of emergency, this delay will not count toward any contractual deadlines or other rules that may limit the timing of post-claim audits.
- **Process all "clean claims" according to prompt payment standards.** Carriers should explore ways to provide flexibility to providers during the period of the public health emergency concerning "clean claim" standards and make all efforts to process hospital "clean claims" expeditiously to ensure that hospitals obtain timely reimbursement. We understand that Carriers often pend claims while they make needed operational changes in order to process changes, including those related to cost share protections for members. While this work is necessary to protect members from being balance-billed by providers, Carriers should nonetheless take reasonable steps to minimize the number of claims that are pended during the period of the public health emergency.

- **Explore ways to streamline coding and billing policies to reduce the administrative complexity of coding for claims.** Carriers should look for all ways to facilitate coding of claims and reduce the development of special codes that may differ from one Carrier to another or that differ from Medicare guidance. Carriers are encouraged to discuss these issues by and between Carriers in order to accomplish this goal during the emergency period.
- **Develop processes that expedite health plan credentialing.** As was noted in Bulletin 2020-10, Carriers are expected to implement policies to ensure expeditious credentialing review of COVID-19 providers. In establishing these policies, Carriers should continue to adhere to standards set forth by NCQA and the Massachusetts Board of Registration in Medicine.

#### **Carriers Acting As Administrators**

Due to the public health crisis caused by Coronavirus, when Carriers are acting as administrators for employment-sponsored non-insured health benefit plans, the Division expects Carriers to encourage plan sponsors to take steps that are consistent with the provisions of Bulletins 2020-02, 2020-04, 2020-10, 2020-13, and 2020-15. Plan sponsors should be made aware of the public health risks to all Massachusetts residents, and Carriers should do all they can to encourage plan sponsors to take steps to remove barriers to accessing medically necessary testing, diagnosis, counseling, and treatment of Coronavirus and to provide administrative relief for providers and hospitals during the state of emergency.

If you have any questions about this Bulletin, please contact Kevin Beagan, Deputy Commissioner for the Health Care Access Bureau, at (617) 521-7323.