



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

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**BULLETIN 2020-25**

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

From: Gary D. Anderson, Commissioner of Insurance

Date: July 29, 2020

Re: Easing Administrative Billing for PCR and Antigen Testing

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The Division of Insurance ("Division") issues this Bulletin to update Bulletins 2020-02, 2020-16 and 2020-23 regarding COVID-19 testing and 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' easing administrative billing for covered polymerase chain reaction ("PCR") or antigen testing for COVID-19, also known as Coronavirus. This guidance, in addition to all current federal guidance regarding COVID-19 testing, is to be followed by all Carriers covering health services in Massachusetts.

**The Coronavirus Risk**

The public health, economic and societal consequences of the spread of the Coronavirus have dramatic impacts in the Commonwealth. 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. Health insurance coverage plays a critical role in the public's actual and perceived access to and affordability of health care services. Coronavirus may impose unique risks to our insurance market that Massachusetts has not faced for at least a generation. Therefore, the Division is notifying Massachusetts Carriers that it expects them to take all appropriate steps to enable their covered members to obtain appropriate testing and treatment that will help fight the spread of this disease.

### **Delays in Obtaining Test Results**

Over the past few months, the number of PCR and antigen tests processed by laboratories has expanded significantly. As a result, there has been a growing delay in the processing of tests and presentation of test results that has in some cases grown to as much as 10 days. In order to effectively address COVID-19, we need to explore all necessary steps to shorten the time that is needed to obtain and present test results.

The Division is aware that new laboratories are becoming available to process tests but they have not yet developed the administrative systems to properly bill carriers for tests as they are conducted. In order to meet the public health need, carriers are expected to take steps that will permit covered tests to be done by such laboratories and for the related bills to be processed for the laboratories.

### **Easing Contractual and Administrative Systems**

The Division is aware that carriers have contracted directly with laboratories and with providers for the provision of laboratory services. The Division is also aware that many carriers have contractual provisions with non-laboratory providers that prohibit so-called "pass-through" arrangements where a provider (e.g., a hospital or community health center) bills a carrier for a laboratory test that it has sent out to be done by an independent laboratory. From the date that Bulletin 2020-25 is issued and for the duration of the public health emergency, the Division expects carriers to relax these provisions for the processing of PCR and antigen tests.

When a non-laboratory provider submits a claim for a PCR or antigen laboratory test provided by an external laboratory, the carrier is to pay the provider the amount that it would pay the external laboratory for the test, without any additional charge added for the provider processing the claim for the external laboratory. The carrier may require that the non-laboratory provider apply a special billing code or modifier when it is submitting a claim for a PCR or antigen laboratory test provided by an external laboratory so the claim may be handled according to Bulletin 2020-25.

### **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 follow all applicable federal guidance and to encourage plan sponsors to take steps that are consistent with the provisions of Bulletins 2020-02, 2020-04, 2020-10, 2020-15, 2020-16, 2020-23 and 2020-25. 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 appropriate testing, diagnosis, counseling, and treatment of Coronavirus.

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