



# COMMONWEALTH OF MASSACHUSETTS

## Office of Consumer Affairs and Business Regulation

### DIVISION OF INSURANCE

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COMMISSIONER OF INSURANCE

## BULLETIN 2020-32

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

From: Gary D. Anderson, Commissioner of Insurance

A handwritten signature in black ink, appearing to read "Gary D. Anderson", written over the printed name.

Date: December 29, 2020

Re: Addressing COVID-19 (Coronavirus) Vaccines

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The Division of Insurance (“Division”) issues this Bulletin 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’ appropriate coverage of vaccines for COVID-19, a respiratory illness caused by a novel coronavirus. During 2020, the Division has issued numerous Bulletins to provide guidance to Carriers about appropriate actions to support testing and treatment for COVID-19, including Bulletin 2020-02, which contemplated the availability of vaccines for COVID-19.

Now that COVID-19 vaccines are becoming available for use, this Bulletin is intended to remind Carriers of the need to facilitate members’ access to vaccines for COVID-19. Recognizing that members of the public may have a number of questions and will seek a variety of methods to obtain vaccines, the Division is indicating to all Carriers that its expectation is that members shall have access to health insurance coverage for vaccines, and that the cost of obtaining a COVID-19 vaccine shall not be a barrier for Massachusetts residents.

### **The Coronavirus Risk**

The public health and societal effects resulting from the spread of COVID-19 has dramatically impacted the Commonwealth. It is essential that government and business leaders take all appropriate steps to safeguard the 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. The spread of COVID-19 poses unique risks to our insurance market. Therefore, the Division is notifying Massachusetts Carriers that it expects them to take all necessary steps to enable their covered members to obtain vaccines that will help fight the spread of this disease.

### **Resources Related to Vaccines**

The Division expects Carriers to communicate all vaccine options to covered persons in accordance with guidelines from the Massachusetts Department of Public Health (“DPH”), the Centers for Disease Control and Prevention (“CDC”), and the federal Centers for Medicare and Medicaid Services (“CMS”), such as guidelines regarding how and when to contact your local board of health or health care provider. As this situation evolves, and informed by guidance from the DPH and CDC, the Division may issue further Bulletins on this topic.

Specifically, the Division expects Carriers to do the following:

- Develop clear and comprehensive information to be located on plan websites that will explain how vaccines will be available, according to government guidelines, the plan’s benefits for vaccines, and tools that will explain how to learn more about locations that will be available to administer COVID-19 vaccines.
- Maintain dedicated help lines to respond to all calls about the Coronavirus and keep covered members aware of providers that can administer COVID-19 vaccines, members’ available benefits, and phone numbers that members can call for additional help.
- Relax prior approval requirements and procedures so that members can get timely COVID-19 vaccines, in accordance with DPH and CDC guidelines.
- Relax any and all protocols regarding prior approval or notice for obtaining vaccines from out-of-network providers, in accordance with DPH, CDC, and CMS requirements.
- Reimburse all providers, whether in-network or out-of-network, for the cost of administering COVID-19 vaccines. Forego any cost-sharing (copayments, deductibles, or coinsurance) for vaccinations at doctors’ offices, urgent care centers, emergency rooms, pharmacies, or other appropriate locations in accordance with DPH and CDC requirements, including from out-of-network providers, if vaccinations are not readily available from in-network providers. In the event that a COVID-19 vaccine is administered in conjunction with a full office visit not associated with COVID-19 testing, assessment or treatment, Carriers are expected to reimburse providers for the vaccine separately if billed in that manner, even though vaccine administration may ordinarily be bundled within reimbursement for the full office visit.
- For out-of-network providers, Carriers may limit reimbursement for the vaccine administration to the amount set by CMS for Medicare rates of reimbursement for the same service. For in-network providers, Carriers are expected to reimburse providers at a level that is always higher than the MassHealth rate of reimbursement for the same service.

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