

# Employee Benefits Resources - COVID-19 Updated 10/25/2021

# **Legislative Updates**

- BXS Insurance Legislative Brief: COVID-19 Vaccines: Questions for Employers & Plan
   Sponsors
- BXS Insurance Benefits Brief: Federal Court Invalidates Certain Parts of FFCRA's Final
   Regulations
- BXS Insurance Benefits Brief: Patient-Centered Outcomes Research Institute (PCORI)
   Filing and Fee Due to IRS by July 31, 2020
- BXS Insurance Benefits Brief: IRS to Allow Mid-Year Cafeteria Plan Changes in Light of COVID-19
- BXS Insurance Benefits Brief: COVID-19 Relief for Group Health Plans
- BXS Insurance Legislative Brief: The CARES Act
- BXS Insurance Benefits Brief: Families First Coronavirus Response Act UPDATED 4/01/20
- BXS Insurance Benefits Brief: Top Issues for Employers and Health Plans

PLEASE NOTE: These PDFs may be slow to download.

# **Department of Labor (DOL)**

- DOL FAQs (FFCRA)
- DOL FAB 2020-7 (Electronic Notice Requires due to COVID-19)
- DOL Temporary Rule (FFCRA)(9-11-20)
- DOL Fact Sheet FFCRA (ER Paid Leave Requirements) (July 2020)

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- DOL ACA FAQs Part 44 (CARES Act-FFCRA)
- New DOL Poster: If you are an employer subject to the Families First Coronavirus Response Act (FFCRA), you will be required to provide employees with Emergency Paid Sick Leave and Emergency Family and Medical Leave for certain qualifying reasons related to COVID-19. The Act takes effect on April 1, 2020. Employers are required to post a FFCRA poster to notify their employees of leave available under the FFCRA. The Department of Labor has provided a poster which must be posted by April 1, 2020. The poster and FAQs can be downloaded <a href="here">here</a>.

# **U.S. Equal Employment Opportunity Commission**

• EEOC FAQs (COVID-19 Vaccines and Other Guidance)(rev. 10-13-21)

Description: The availability of COVID-19 vaccinations raises questions under the EEO laws, including the ADA, Rehabilitation Act, GINA and more. These FAQs update the prior publication as of October 13, 2021 and include revisions to Section K, Q&A15-18 which discuss Employer Incentives for COVID-19 Voluntary Vaccinations.

# **Regulatory Bulletins from State Insurance Departments**

- Summary Document
- Alabama
  - Bulletin 2020-02 Coverage for COVID-19
  - Bulletin 2020-03 Producer, Adjuster, and Title Insurance Agent Licensing Issues in Light of the COVID-19 Emergency
  - o Bulletin 2020-05 Cancel Non-Renew Recommendation COVID-19
  - Bulletin 2020-06 (Return of Auto Ins. Premium due to COVID-19)
  - Bulletin 2020-07 (Flexibility of Health Insurance Coverage in light of COVID-19)
  - Bulletin 2020-09 (COVID-19 Contractual Deadlines-P&C Policies)
  - o Bulletin 2020-10 (Modification of B2020-03 Licensing Issues in light of COVID-19)
  - Modified Bulletins 2020-3 and 2020-10 through 12 (COVID-19 Producer-Adjuster Agent Licensing)
  - Bulletin 2020-13 (COVID-19 Health Ins. Premium Reduction-Credit Program Filing Guidance)
  - Bulletin 2020-14 (Extension of Transitional Relief)
  - Bulletin 2020-16 (COVID-19 Agent Licensing Modifications)
  - Bulletin 2020-21 (Agent Licensing Modifications COVID-19 ER)

#### Arkansas

o Bulletin 6-2020: State COVID-19 Health Emergency

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- Bulletin 7-2020: Pharmacy Benefit Managers & the State Price Gouging Law
- o Bulletin 8-2020: Suspension of Random Audits of Pharmacists
- o Bulletin 9-2020: Business Interruption Insurance & COVID-19
- Bulletin 10-2020: Suspension of Consumer Signature Requirement for Pharmacist Services
- Bulletin 11-2020: Suspension Ins. License and CE Requirements
- o Bulletin 12-2020: Cancellation-Moratorium for Employ. Disruption
- o <u>Bulletin 13-2020: Reimbursement for Telemedicine</u>
- Bulletin 15-2020: Payment Audits-Overpayment Recoveries of Hospitals-HC
   Providers During COVID-19
- o <u>Bulletin 16-2020: Suspension of On-Site Audits by Title Insurers</u>
- Bulletin 18-2020: (Complying with Regulatory Requirements During the COVID-19 Public Health Emergency)
- Bulletin 20-2020: (Recision of covid-19 Related Bulletins)
- Bulletin 21-2020: (COVID-19 45-day Cancellation Moratorium)
- o <u>Bulletin 22-2020: (COVID-19 Regulatory Compliance)</u>
- o Bulletin 23-2020: (COVID-19 Hospitals and Healthcare Providers)
- Bulletin 24-2020: (COVID-19 PBMs- Pharmacy Services)
- Bulletin 26-2020: (Extension of COVID-19-Related Bulletins)
- Bulletin 28-2020 (Moratorium on Cancellation for Certain Policyholders Affected by the COVID-19- Emergency)
- o Bulletin 29-2020 (Extension of Portions of COVID-19-Related Bulletins)
- Bulletin 28A-2020 (Moratorium on Cancellation for Certain Policyholders Affected by the COVID-19)
- o Bulletin 2020-31 (Waiver of Prior Authorizations for Post-Acute Care)
- Bulletin 2020-32 (Complying with Regulatory Reg. during COVID-19)

## Illinois

- Due to ongoing COVID-19 concerns, office locations of IDOI are temporarily closed.
- o CB 2020-02 Insurance Coverage for COVID-19
- o Coronavirus, COVID-19 Consumer Insurance Coverage FAQs

## Louisiana

- Emergency Rule 36: Patient Protections and Related Health Care Services
   Regarding Health Insurance Matters Affecting Insureds in Louisiana Caused by the Outbreak of Coronavirus Disease (COVID-19)
- Emergency Rule 37: Telemedicine and Network Adequacy in Health Insurance in Louisiana During the Outbreak of Coronavirus Disease (COVID-19)

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- Emergency Rule 38: Temporary Licensing of Certain Insurance Producers (LAC37:XIII.Chapter 37)
- o Emergency Rule 40: Moratorium Policy Cancellations/Renewals COVID-19)
- LA Amended ER Rule 40 (Moratorium)
- LA Emergency Rule 41 (Patient Transfers COVID-19)
- LA Emergency Rule 43 (Temporary Licensing of Adjusters)
- <u>LA Emergency Rule 44 (Extension of Renewal Date to 5-12-20 for Ins.Producers-Adjuster Licensees)</u>
- LA Reissued ER Rule 36 (Extending Effective Date of 5-12-2020)
- LA Reissued ER Rule 37 (Extending Effective Date of 5-12-2020)
- LA Reissued ER Rule 39 (Extending Effective Date of 5-12-2020)
- o Emergency Rule 40: Moratorium Policy Cancellations/Renewals COVID-19)
- LA Amended ER Rule 40 (Moratorium)
- LA Emergency Rule 41 (Patient Transfers COVID-19)
- LA Emergency Rule 43 (Temporary Licensing of Adjusters)
- <u>LA Emergency Rule 44 (Extension of Renewal Date to 5-12-20 for Ins.Producers-Adjuster Licensees)</u>
- LA DOI Bulletin 2020-01 (COVID-19 Issuance of Temp. Producers License)
- LDI FAQs and Consumer Alerts Re: COVID-19. Scroll Down for:
  - Health Care FAQ
  - Travel Insurance FAQ
  - Business Interruption Insurance FAQ
  - Consumer Alerts About COVID-19

## Mississippi

- 2020-18 MS DOI Bulletin 2020-18 (Extension of B2020-1 Ins. Coverage-Telemedicine Use During COVID-19)
- MS DOI Temp. Rule (COVID-19 Specific Administrative Hearing Procedures)(10-2020)
- 2020-13 (Extension-Telemedicine during COVID-19)
- o 2020-12 (Waiver of On-Site Review Requirements During COVID-19
- MS DOI Temp. Rule (Admin. Hearing Procedures COVID-19) (Effective 7-24-20)
- 2020-10 (Extension of Use of Telemedicine During COVID-19)
- 2020-09 (Extension of Bulletin 2020-1 Ins. Coverage-Use of Telemedicine During COVID-19 Crisis)
- 2020-08 (Form and Rate Filing Guidance for Individual, Small Group and Stand-Alone Dental Plans in Mississippi)
- 2020-07 (Guidance for Company License/Registration Renewals and Fees, Regulatory Filing Deadlines and Other Regulatory Filing Requirements

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- 2020-06 (Guidance for Initial Insurance Producer Applicants Unable to Take the State Pre-Licensing Examination)
- 2020-5 (Continuing Ed Extended-Producers)
- o 2020-4 (Clarification of B20-3 Moratorium)
- o 2020-3 FAQs FAQs re Moratorium-Bulletin 2020-3
- 2020-3 Moratorium on Policy Cancellations/Non-Renewals for Policyholders Impacted by the COVID-19 Pandemic (Effective March 24, 2020)
- 2020-2 Requested Audit of Premium of Commercial Policies During the COVID-19 Crisis (Effective March 23, 2020)
- 2020-1 Insurance Coverage Regarding the Use of Telemedicine During the COVID-19 Crisis (Effective March 16, 2020)

#### Missouri

- o 20-06 Filings Made by Div. of Co. Regulations
- 20-05 Assistance to Policyholders Impacted by COVID-19, March 21, 2020
- 20-03 Coronavirus (COVID-19), March 3, 2020

#### Tennessee

- 04/24/20 COVID-19 Guidance on Temporary Producer Licensing
- o 04/23/20 Billing and Reimbursement for COVID-19 and Emergency Services
- o 04/13/20 COVID-19 Regulatory Filing Flexibility Guidance to Carriers
- o 04/03/20 COVID-19 Guidance Regarding Premium Finance Companies
- o 03/26/20 COVID-19 Guidance to Carriers on Automobile Coverage for Deliveries
- 03/24/20 COVID-19 Guidance to Carriers
- 03/09/20 COVID-19 Guidance to Health Carriers

#### Texas

- o <u>B-0005-20 COVID-19 Testing and Preparation</u>
- B-0007-20 COVID-19 Claim-handling Deadlines and Premium Payments
- B-0008-20 COVID-19 Suspension of Certain Licensing Requirements and Fees
- o B-0010-20 COVID-19 Workers' Compensation Issues
- B-0011-20 COVID-19 Escrow Check Signature and Escrow Audit Report Filing
- B-0012-20 COVID-19 Suspension of Certain Provisions of Labor Code and DWC Rules Related to Workers Comp
- o B-0015-20 COVID-19 Claim-submission deadlines
- o B-0016-20 COVID-19 Coverage for COVID-19 Testing
- B-0017-20 COVID-19 Coverage for COVID-19 Testing and Network Adequacy
- Chapter 35 Emergency Rules (Effective 3/17/20)
  - Subchapter A. COVID-19 Emergency Rules Telemedicine Emergency Rule FAQs

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## **IRS Updates**

- IRS Notice 2020-54 (Guidance on Reporting Qualified Sick and Family Leave Wages-FFCRA)
- IRS FAQs (Covid-19 Tax Credits for PL by Small-Midsize Business)
- IRS Notice 2020-21 (Relief from Penalty for Failure to Deposit Empl. Taxes)

## **CMS Updates**

• CMS Toolkit (COVID-19 Vaccine)(1-7-21)

This toolkit has been issued by CMS to help health insurance issuers and Medicare Advantage plans identify the issues that need to be considered and addressed in order to provide coverage and reimburse for vaccine administration. Because COVID-19 vaccines will be federally purchased, this toolkit primarily focuses on vaccine administration.

- CMS Fact Sheet (IFR Policy-Regulatory Revisions COVID-19)
- CMS Fact Sheet (CCIIO Premium Reduction Provisions)
- CMS Memo (Temp. Relaxed Enforcement for Submitting 2019 MLR Reporting-Rebates due to COVID-19)

# **Insurance Carrier Updates**

- Health Insurance Carrier Updates
- Stop Loss Carrier Updates

# **Other Employer Resources**

- Occupational Health and Safety Administration (OSHA)
  - OSHA: Guidance on Preparing Workplaces for COVID-19
- Equal Employment Opportunity Commission (EEOC)
  - Pandemic Preparedness in the Workplace and the Americans with Disabilities Act (ADA)
- Employee Communications and Agreements
  - Sample Communication to Employees
  - Sample Work from Home Policy

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- Work from Home Agreement
- Telecommuting Checklist
- Sample Telecommuting Agreement

## **Healthcare Resources**

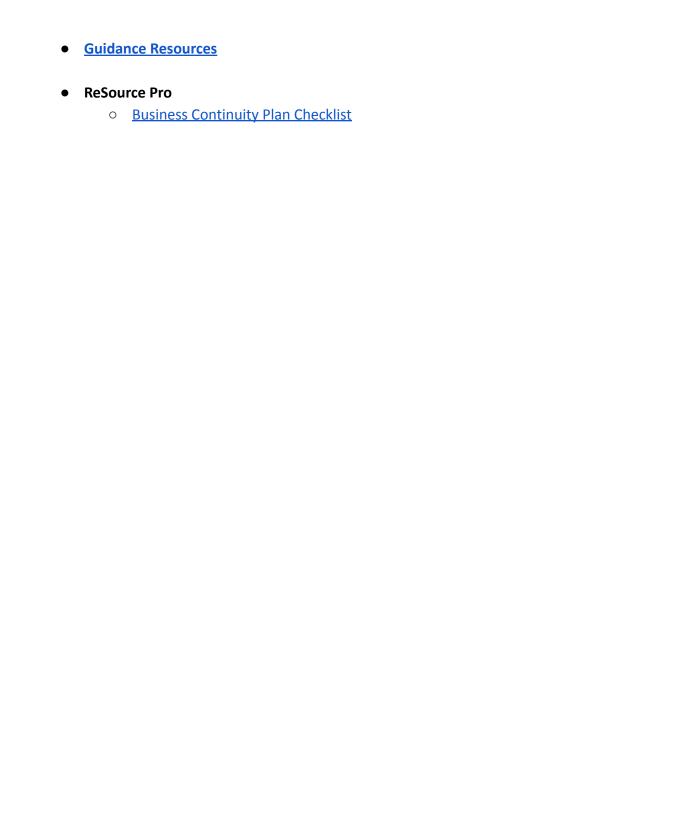
- World Healthcare Organization (WHO)
  - WHO: <u>Latest Updates</u>WHO: <u>FAQs</u> and <u>Myths</u>
- Centers for Disease Control and Prevention (CDC)
  - CDC: Latest Updates
  - CDC + White House: 15 Days to Slow the Spread
  - o CDC: FAQs
  - CDC: Interim Guidance for Businesses and Employers
  - o CDC: Cleaning and Disinfection Recommendations
  - CDC Flyers
    - Stop the Spread (English | Spanish)
    - Symptoms (Spanish unavailable)
- American Telemedicine Association
  - Tools and Webinars

# **Resources from our Industry Partners**

- ThinkHR
  - o COVID-19 Crisis Response Center
- Council of Insurance Agents and Brokers (CIAB)
  - o High-Level List of COVID-19 Relief Measures
- Highflyer HR
  - o Sample Work from Home Policy and Procedure
  - Sample Work from Home Agreement
  - o Sample Employee Message
  - o Furlough vs. Layoff vs. Reduction in Force
- myHRcounsel / Infinisource

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