
BULLETIN 2020-03**HEALTH INSURANCE COVERAGE FLEXIBILITY FOR OHIO EMPLOYEES****Effective March 20, 2020**

This Bulletin pertains to all health plan issuers, including insurance companies, stop loss insurers, health insuring corporations, MEWAs, non-federal governmental health plans, and other entities transacting the business of insurance in the State of Ohio, or that are subject to the jurisdiction of the Superintendent of Insurance (collectively, Insurers), that reimburse the costs of health care services under a health benefit plan in Ohio.

On March 9, 2020, Governor Mike DeWine, declared a state of emergency in Ohio to protect the well-being of Ohioans from the dangerous effects of COVID-19, and directed state agencies to develop and implement procedures consistent with recommendations from the Department of Health designed to prevent or alleviate the public health threat. (See Executive Order 2020-01D.)

Accordingly, the Superintendent hereby orders and directs Insurers to comply with the following requirements during this state of emergency:

Employee Eligibility

Insurers must permit employers to continue covering employees under group policies even if the employee would otherwise become ineligible due to a decrease in hours worked per week. Insurers are required to permit employers to continue providing coverage to employees under group policies regardless of any “actively at work” or similar eligibility requirements in the policy. Additionally, Insurers are prohibited from increasing premium rates based on a group’s decreased enrollment or participation due to COVID-19.

Grace Period for Premium Payment

All Insurers are to give their insureds the option of deferring premium payments coming due, interest free, for up to 60 calendar days from each original premium due date.

Continuation Coverage

For employers that employ 20 or more employees, as long as one person remains actively employed, eligible employees may elect to continue coverage under COBRA under the normal notice and election procedures.

For employers that employ fewer than 20 people, as long as one person remains actively employed and enrolled in the plan, eligible employees may elect to continue coverage under state continuation coverage for up to twelve months. Insurers should work with employers to ensure employees receive the appropriate notice of these options.

If no active employees remain covered under a plan, COBRA and continuation coverage are not options and employees will be eligible for a special enrollment period.

Special Enrollment

Employees who lose coverage are eligible for a special enrollment period to enroll in new coverage. Premium subsidies may be available for those that qualify by purchasing plans on the federal exchange. Plans sold on the federal exchange are effective the first day of the next month after enrollment. For those purchasing policies sold outside of the federal exchange, Insurers shall waive normal special enrollment procedures and allow applicants to obtain coverage effective the day after their loss of employment.

The Superintendent will not take enforcement action with respect to filed forms and rates against Insurers that adjust their policies and practices to provide the flexibility required by this bulletin.

This Bulletin expires upon the expiration of the state of emergency declared by Governor DeWine on March 9, 2020.

Superintendent of Insurance

A handwritten signature in blue ink, appearing to read 'Jillian Froment', with a stylized flourish extending to the right.

Jillian Froment Director