



Health Insurance Bulletin 2020-06
Issued October 1, 2020
Effective Immediately
Extension of Bulletin 2020-04:
Temporary Emergency Measures Regarding
Benefit Determination Review

The Office of the Health Insurance Commissioner ("OHIC") issues this Bulletin to extend the provisions of Bulletin 2020-04 ("**Extension of Temporary Emergency Measures Regarding Benefit Determination Review**") to ensure access to and continuity of care as well as the safety and welfare of beneficiaries during the COVID-19 public health crisis.

On March 9, 2020, Governor Raimondo issued Executive Order 2020-02 that declared a state of emergency ("State of Emergency") due to the dangers to health and life posed by the outbreak of COVID-19 and that declaration has been extended until at least October 3, 2020.

On April 27, 2020, Governor Raimondo issued the "Twenty-Sixth Supplemental Emergency Declaration – Promoting Better Coordination of Health Care Coverage" ("Executive Order 20-29"), which has been extended until at least October 27, 2020 by Executive Order 20-78. Executive Order 20-29 directs OHIC to issue guidance on its implementation.

Bulletin 2020-04 extended the provisions of Health Insurance Bulletin 2020-03 ("**Temporary Emergency Measures Regarding Benefit Determination Review and Network Plans and Health Care Accessibility and Quality Assurance**") to provide instruction to health care entities and benefit determination review agents subject to OHIC's jurisdiction on how to implement Executive Order 20-29 and maintain compliance with Chapters 27-18.8 and 27-18.9 of the Rhode Island General Laws and regulations.

These temporary policies and procedures to be adopted and followed during the State of Emergency center around benefit determination review policies and practices are necessary to ensure that beneficiaries have timely access to covered services during the State of Emergency.

1. **Benefit determination review requirements.** Through the earlier of December 31, 2020 (or an extension or shortening of the December 31, 2020 date issued by OHIC as

necessary) or the expiration of Executive Order 20-29, all health care entities and their certified BDR Agencies shall:

- a. Suspend prior authorization requirements for all in-network behavioral health services;
- b. Suspend prior authorization requirements for all in-network non-pharmacy COVID-19 related diagnostic and treatment services; and
- c. Not replace suspended prior authorization requirements with new retrospective review requirements.

Health care entities and BDR Agencies shall promptly notify participating providers of the extension of these policy changes made and/or maintained in response to this Bulletin.

This Bulletin shall take effect immediately and remain in full force and effect for as long as Executive Order 20-29 remains in effect, including through renewal, modification or termination by subsequent Executive Order.

Dated at Cranston, Rhode Island this 1st day of October 2020.



Marie Ganim, PhD., Commissioner