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BULLETIN NO. 2020-07

TO: All Insurers Writing Health Insurance in Alabama

FROM: Jim L. Ridling
Commissioner of Insurance 

DATE: April 17, 2020

RE: Flexibility of Health Insurance Coverage in light of COVID-19

EFFECTIVE: Immediate

On March 13, 2020, Alabama Governor Kay Ivey declared the first state of public health emergency in Alabama due to the COVID-19 pandemic. The Governor has since issued other supplemental declarations and more could follow. At this date, it is not certain when the public health emergency will be canceled. Additionally, several local governmental entities have issued some form of “shelter in place” order or have imposed local curfews. More local governmental entities in Alabama could issue similar orders before the pandemic ends.

Accordingly, the Commissioner hereby recommends and suggests health insurers consider exercising the following flexibility with respect to keeping employees on a health plan during this State of Emergency:

Employee Eligibility

Insurers are encouraged to 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. Further, insurers are encouraged 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 encouraged not to increase premium rates if possible.

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Continuation of Coverage

Insurers are reminded of their responsibilities under COBRA and are encouraged to assist employers with their responsibilities.

The Commissioner will not take enforcement action with respect to filed forms and rates against insurers that adjust policies, practices and notice periods to provide the flexibility suggested by this bulletin.

JLR/JW/RN/WLR/ct