



STATE OF TENNESSEE
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BILL LEE
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HODGEN M. MAINDA
COMMISSIONER

BULLETIN 20-08

TO: All Hospitals, Health Systems, or Hospital-Based Facilities, or Health Care Providers
Health Carriers Writing Health Insurance or Health Benefit Plan Coverage

FROM: Hodgen Mainda, Commissioner *Hodgen Mainda*

RE: Billing and Reimbursement for COVID-19 and Emergency Services

DATE: April 23, 2020

The CARES Act, signed by the President on March 27, 2020, includes \$100 billion for healthcare providers. Under the President's direction, the federal Department of Health and Human Services will use a portion of that funding to cover providers' costs of delivering COVID-19 care for the uninsured and will send the money to providers through the same mechanism used for testing. As a condition of receiving funds under this program, providers will accept reimbursement at Medicare rates and be prohibited from balance billing the uninsured for the cost of their care.

In an effort to protect patients receiving emergency care and/or COVID-19 treatment, effective immediately and for the duration of the public health and civil preparedness emergency declared on March 12, 2020, including any period of extension or renewal:

- In the event emergency services or COVID testing and treatment services are rendered to an insured by an out-of-network health care provider, such health care provider may bill the health carrier directly and the health carrier may reimburse such health care provider the amount the insured's health care plan would pay for such services if rendered by an in-network health care provider as payment in full. Health care providers are urged not to additionally bill the insured.
- Hospitals, health systems, or hospital-based facilities, or health care providers that provide emergency health care services to uninsured patients are urged to only collect from uninsured patients the cost of providing services. For uninsured patients receiving services for the

treatment and management of COVID-19, hospitals may collect from the uninsured patients or such patients' estates the Medicare rate for said services as payment in full.

- Hospitals, health systems, or hospital-based facilities are urged to refrain from collecting a facility fee of more than the Medicare rate for services received for the treatment and management of COVID-19 by patients who are uninsured.
- Each hospital, health system or hospital-based facility is urged to maintain fiscal records to identify services provided to uninsured patients for treatment and management of COVID-19 and make such records available for claiming federal reimbursement, as applicable.

If you have any questions pertaining to this bulletin please contact Bill Huddleston, Director of Insurance, Division of Insurance, Department of Commerce and Insurance at Bill.Huddleston@tn.gov, (615) 360-4467.