

HEALTH ISSUES

Alert No. 2020-H-5

June 24, 2020

CMS Releases FAQs on COVID-19 Legislation Implementation

The Centers for Medicare and Medicaid Services (CMS) released on June 23, 2020 a set of [frequently asked questions](#) (FAQs) about the implementation of certain regulations pertaining to provisions in the [Family First Coronavirus Response Act \(FFCRA\)](#) and the [Coronavirus Aid, Relief and Economic Security \(CARES\) Act](#), which were both enacted in March. The guidance, which was jointly prepared by the Department of Labor (DOL), the Department of Health and Human Services (HHS), and the Department of the Treasury (Treasury), addresses numerous issues related to section 6001 of the FFCRA and section 3202 of the CARES Act.

Section 6001 of the FFCRA requires group health plans and health insurance issuers offering group or individual health insurance coverage to provide benefits for certain items and services related to testing of COVID-19 (coronavirus) and prohibits insurers from imposing cost-sharing requirements on the insured. Section 3201 of the CARES Act amended section 6001 of the FFCRA to include more services and diagnostic items which health plans and issuers must cover without any cost-sharing requirements, and section 3202(a) of the CARES Act requires health insurers to reimburse health care providers for expenses related to COVID-19 testing. Additionally, section 3202(b) requires health care providers that are administering COVID-19 tests to make public their testing prices. The guidance answers questions regarding the implementation of this requirement for health insurers as well as health care providers. The guidance notes that while insurers are required to cover COVID-19 testing for diagnostic purposes, they are not required to cover COVID-19 testing for surveillance or employment purposes.

On April 11, 2020, the DOL, HHS, and Treasury released an initial set of [FAQs](#) addressing additional provisions provided in the FFCRA and CARES Act. There will be no comment period for the guidance released on June 23.

If you have any questions regarding this *Academy Alert*, please contact Devin Boerm, deputy director of public policy (boerm@actuary.org; 202-785-6929).

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