LDI Louisiana Department of Insurance

NEWS RELEASE

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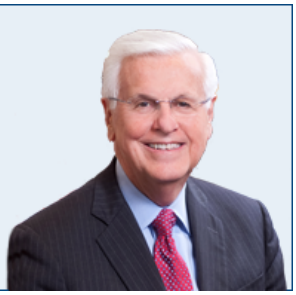
James J. Donelon
Commissioner of Insurance



FOR IMMEDIATE RELEASE

March 23, 2020

Donelon Issues Emergency Rule 37 to Address Telemedicine and Network Adequacy

Commissioner Jim Donelon issued Emergency Rule 37 to address the statewide public health emergency declared to exist in the state of Louisiana as the result of the imminent threat posed to Louisiana citizens by COVID-19.

“Promulgating Emergency Rule 37 continues the proactive stance of the LDI to provide guidance to insurers, healthcare providers and consumers on the importance of network adequacy,” said Donelon. “Not only does prudent use of telemedicine services promote social distancing, these services also provide a powerful tool to maintain access to critical care during this event.”

In summary Emergency Rule 37:

- Expands access to telemedicine services so Louisiana residents can continue receiving necessary care without a visit to a hospital or clinic, including permitting telemedicine visits conducted through the patient’s phone or personal device.
- Requires insurers to cover mental health services via telemedicine to the extent they would be covered in-person, except for treatments that are not appropriate for remote delivery.
- Broadens telehealth availability by waiving restrictions requiring patients to only conduct telemedicine visits with providers in the insurer’s existing telemedicine network.
- Requires insurers to evaluate their out-of-network cost sharing to ensure patients are not unreasonably charged extra cost sharing amounts under their insurance policy if in-network access becomes limited during the event.

The full text of Emergency Rule 37 can be found here.

Additionally, other COVID-19 resources and FAQ’s are available at www.ldi.la.gov.

About the Louisiana Department of Insurance: *The Louisiana Department of Insurance works to improve competition in the state's insurance market while assisting individuals and businesses with the information and resources they need to be informed consumers of insurance. As a regulator, the LDI enforces the laws that provide a fair and stable marketplace and makes certain that insurers comply with the laws in place to protect policyholders. You can contact the LDI by calling 1-800-259-5300 or visiting www.ldi.la.gov.*