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BULLETIN NUMBER 2020-02

TO: All Insurers, Health Maintenance Organizations, Adjusters, Producers, and Other Persons Licensed and Authorized to Transact the Business of Insurance within the State of South Carolina

FROM: Raymond G. Farmer
Director of Insurance

SUBJECT: Assistance for Insureds, Claimants and Covered Persons Directly Impacted by COVID-19

DATE: March 25, 2020

Governor Henry McMaster declared a State of Emergency due to the 2019 Novel Coronavirus ("COVID-19") on March 13, 2020. COVID-19 continues to disrupt the daily lives and threaten the public health of South Carolinians and has substantially impacted some South Carolina insureds, claimants, and covered persons.

As a part of the state's ongoing efforts to respond to this pandemic, this bulletin is to advise all insurers, HMOs, and other licensed or authorized entities and individuals that the Director of Insurance expects the insurance industry to work with those South Carolina citizens and businesses directly impacted to provide relief from certain insurance requirements.

This relief may include, but is not limited to, the following:

- extension of premium payment deadlines;
- additional time before non-renewals or cancellations become effective;
- extension of proof of loss deadlines;
- waivers of limitations relating to the use of out-of-network providers;
- relaxing time limitations to allow for early prescription refills;
- relaxing prescription drug formulary limitations to ensure access to prescription drugs resulting from drug shortage or access issues;
- increasing access to medical care via telehealth; and
- waiver of fees, penalties or other charges relating to an insured's temporary inability to submit premium payments or otherwise respond as a result of this pandemic.

Any extension or relief offered to consumers as described in this bulletin will not be considered unfairly discriminatory if it is focused on providing additional consumer protections and is consistently applied to all insureds, claimants, or covered persons that are similarly impacted by this pandemic.

Bulletins are the method by which the Director of Insurance formally communicates with persons and entities regulated by the Department. Bulletins are Departmental interpretations of South Carolina insurance laws and regulations and provide guidance on the Department's enforcement approach. Bulletins do not provide legal advice. Readers should consult applicable statutes and regulations or contact an attorney for legal advice or for additional information on the impact of that legislation on their specific situation.

Governor Henry McMaster

Director Raymond G. Farmer