

March 9, 2020

Kent Sullivan  
Commissioner  
Texas Department of Insurance  
PO Box 149104  
Austin, TX 78714-9104

Re: Concerns over costs related to COVID-19 (“coronavirus”) testing; other precautions.

Commissioner Sullivan:

On behalf of our over 460 Texas member hospitals and health systems, the Texas Hospital Association (THA) requests protective measures for Texans facing potential testing and treatment related to novel coronavirus exposure.

In the past week, Texas has seen an increase in the number of positive coronavirus cases – with that comes increased concern among the public over community spread. While coronavirus testing must be ordered by an appropriate health care provider and meet state and federal criteria, Texas hospitals expect demand for coronavirus testing to outpace testing capacity, even as that testing capacity increases.

THA asks you to take any proactive action necessary to protect Texas citizens during this time and order all relevant insurers under your purview to eliminate potentially unreasonable or unexpected cost barriers to testing and treatment.

Individuals meeting criteria should have access to testing without an insurer applying requirements for prior authorization or cost-sharing – including copayments, coinsurance, or deductibles. Additionally, in the event Texas’ health care resources are stretched due to an outbreak, insurers should not require a patient to incur costs greater than “in-network” rates for testing and treatment related to coronavirus, even if the patient is treated “out-of-network.” Finally, permitting one-time refills of non-opioid, required medications prior to the expiration of any normal waiting period would limit the need for potentially vulnerable populations to visit public areas, and thus minimize exposure risk, while reducing the need for pharmacies to expend resources on refilling prescriptions and freeing them to address coronavirus.

As other states enact similar measures to protect their communities, THA believes this will greatly assist in the fight as Texas hospitals continue to refine their preparations to fully combat coronavirus and protect the people of Texas.

On behalf of Texas hospitals and the public they serve, thank you for your time and attention. Please let us know how THA can help continue to provide strong, steadfast health care on the frontlines of this serious outbreak.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Cesar J. Lopez', with a stylized, sweeping flourish extending to the right.

Cesar J. Lopez  
Associate General Counsel  
(512) 465-1000

cc: Office of the Governor  
Texas HHSC