



LOUISIANA DEPARTMENT OF INSURANCE

JAMES J. DONELON

COMMISSIONER

DIRECTIVE 217

TO: ALL HEALTH INSURANCE ISSUERS AND HEALTH MAINTENANCE ORGANIZATIONS

FROM: JAMES J. DONELON, COMMISSIONER OF INSURANCE

RE: TO DIRECT HEALTH INSURANCE ISSUERS AND HEALTH MAINTENANCE ORGANIZATIONS TO EVALUATE COVERAGE FOR TREATMENT-IN-PLACE BY EMERGENCY MEDICAL SERVICES PERSONNEL AND TO CONSIDER WAIVER OF PRIOR AUTHORIZATION FOR CERTAIN COVID-19-RELATED ITEMS AND SERVICES

DATE: AUGUST 13, 2021

All health insurance issuers and health maintenance organizations are hereby directed to evaluate coverage for treatment in place by emergency medical services personnel (EMS) and to consider waiver of prior authorization for Covid-19-related items and services necessary to ease discharge of patients from inpatient facilities to their homes.

The Network Adequacy Act, La. R.S. 1019.1 et seq, requires that health insurance issuers and health maintenance organizations ensure the adequacy, accessibility, and quality of health care services offered to covered persons under a health benefit plan. The state of Louisiana is currently experiencing critical shortages in availability of medical personnel and facility capacity due to the current surge of Covid-19 statewide. Treatment in place, when implemented with appropriate controls, can be a useful tool in easing burden on staff and reducing care demands without affecting care quality or cost.

Treatment in place is a widely recognized strategy in which EMS applies community-wide protocols to evaluate and treat a patient at the scene of the EMS transportation request rather than transporting the patient to a facility for care. This strategy can divert patients from hospitals while providing necessary care quickly and safely. It may also improve availability of EMS and increase EMS' efficiency (decrease wall time). On May 5, 2021, the Centers for Medicare and Medicaid Services issued a waiver permitting reimbursement for treatment in place under the Medicare program.

Additionally, hospitals have reported some health insurance issuers and health maintenance organizations are imposing prior authorization requirements on services and items necessary to discharge patients to their homes, for example, a home oxygen

supply and oxygen pump. Given the current state of hospital occupancy and pending demand for services, it is critical to ease any burdens on patients as they are discharged from inpatient care.

Therefore, I am hereby directing health insurance issuers and health maintenance organizations to consider adopting the same coverage, requirements, and restrictions included in the Centers for Medicare and Medicaid Services' waiver. I am further directing health insurance issuers and health maintenance organizations to consider waiving prior authorization requirements on services and items necessary to discharge patients to their homes, including items and services intended to be used in the home after an inpatient stay. I encourage health insurance issuer and health maintenance organizations to maintain these changes at least until the current surge of Covid-19 cases in Louisiana subsides back to daily case rates experienced in early July.

Please be governed accordingly.

If there are any questions regarding this directive, please contact the Deputy Commissioner of the Office of Health, Life & Annuity, electronically at public@ldi.la.gov.

Baton Rouge, Louisiana, the 13th day of August, 2021.



JAMES J. DONELON
COMMISSIONER OF INSURANCE