

March 17, 2020

House Updates Coronavirus Legislation Requiring COVID-19 Coverage

by [Mark L. Stember](#)

Updated from a Previous Post

Please note: The below information may require updating, including additional clarification, as the COVID-19 pandemic is dynamic and continues to develop. Please monitor this site and/or your email for updates.

Early Saturday morning, the House of Representatives passed the [Families First Coronavirus Response Act, H.R. 6201](#) (the "Bill"). As currently drafted the Bill provides a number of [COVID-19 related legislative changes](#), including changes to the Family Medical Leave Act and paid sick leave for employers with less than 500 employees.

On March 16, 2020, the House of Representatives passed an [amended Bill](#). As amended, the Bill requires all ERISA group health plans, including insured and self-insured plans, to provide the following COVID-19 related services at 100% with no cost sharing

- Any COVID-19 testing services,
- Any health care provider (in-person and telehealth visits), urgent care or emergency room visit for COVID-19 testing, and
- Any item or service furnished during such COVID-19 testing visit.

As currently drafted, the Bill requires all telehealth visits related to COVID-19 to be covered at 100% with no cost sharing (including for high deductible health plans). The above requirement does not apply to "retiree-only" group health plans.

The Bill comes on the heels of the [IRS announcement allowing high deductible health plans to cover both COVID-19 testing and treatment before the required HDHP minimum deductible](#).

The Senate is expected to take up the Bill today, and it is extremely unlikely that the Bill will pass the Senate in its current form. Please stay tuned to our ERISA blog for up to date information.

