



## **UPDATE: ISMIE policyholder Q&A to address frequently asked questions related to the impact of COVID-19 on physicians' practices**

ISMIE is committed to supporting our policyholders and our broker partners during our nation's public health crisis which is placing unprecedented burdens on physicians and the nation's healthcare system. We appreciate the trust you have placed in ISMIE, and we are fully dedicated to easing any burdens we can for our policyholders during this very challenging time.

We have put together the following **Q&A** to address a number of questions we have received from policyholders and our broker partners related to the impact of COVID-19 on physicians' practices. We will continue to closely monitor issues as they arise, and promptly advise you of evolving issues which may become important to share with you.

Please reach out to your insurance broker if you have one, or contact ISMIE's underwriting staff directly at [underwriting@ismie.com](mailto:underwriting@ismie.com) to discuss specific policy related questions. Additionally, our risk management team is available to help you navigate practice related questions at [riskmanagement@ismie.com](mailto:riskmanagement@ismie.com). Our claims staff is available to manage any ongoing claims or answer any claims related questions you may have at [claimreports@ismie.com](mailto:claimreports@ismie.com).

### **Is ISMIE available to service my policy and be a resource to me during the coronavirus public health crisis?**

Yes, despite the temporary closure of our headquarters due to the coronavirus, our business remains open, with our staff members ready to serve your needs via the use of secure, remote work arrangements. You may call or email ISMIE as usual, and will receive a prompt return communication. A skeleton staff will continue to work on-site to ensure the safety and security of our office.

### **Will ISMIE offer an extension or grace period for payment of outstanding premium due during this crisis?**

We recognize that these are unprecedented times disrupting many medical practices, and ISMIE is here to support our policyholders by offering a premium grace period. **ISMIE will suspend cancellations due to non-payment of premium until June 30, 2020 for invoices due after March 20, 2020.** Additionally, ISMIE will remain in compliance with the Departments of Insurance (DOI) for individual states which have guidance beginning before or ending after our own grace period. Please note that invoices will still be available on ISMIE's website. ISMIE encourages policyholders who are able to pay invoices during this time to do so. Any automated payment plans already established will proceed as normal, unless there is specific direction from your state's DOI to the contrary. This is a notice that your policy will not be canceled due to non-payment during the grace period, this is not a waiver of premium.

We recognize the potential for financial hardship on medical practices during this crisis. ISMIE continues to monitor the situation closely and will review this grace period and all other accommodations accordingly.

### **How will I receive policy documents and make premium payments?**

Due to ISMIE's temporary office closing and Illinois' shelter-in-place order, all policy documents including premium invoices issued on or after March 19<sup>th</sup> will be available to you on the ISMIE website by logging into your MyISMIE account. We encourage you to log into your MyISMIE account to view your policy documents, premium invoice, and pay your premium online, if possible, rather than sending your payment by mail. Using the on-line payment function is the fastest, most secure method of premium payment to ISMIE. If you do not have a user name and password established, we can assist you in getting your on-line credentials. Online account registration [is available at this link](#). Individual account setup assistance is available by contacting [onlinehelp@ismie.com](mailto:onlinehelp@ismie.com).

### **Can I adjust my policy coverage if I am temporarily unable to perform specific procedures/surgery, or my practice volume has been significantly reduced?**

\*ISMIE can evaluate changes to your practice and determine whether or not a change in premium is warranted. Please note, eligibility for part-time rating requires that policyholders have already reduced their practice time and patient volume for a minimum period of six months in order to be considered for part-time. A [part-time application](#) is available on the ISMIE website, and it provides an overview of the documents required for ISMIE to determine eligibility for part-time rating. It is also important to know that a reduction in specialty classification is only applicable for policyholders who desire a change in specialty for a minimum period of three months; a specialty reduction is not intended for short term changes in practice. Eligibility for all changes in policy coverage are subject to review and written approval by ISMIE.

\*Applicable to ISMIE Mutual policyholders only, does not apply to ISMIE Indemnity policyholders.

### **Will ISMIE offer suspended coverage if my practice has been closed due to health or other circumstances related to the COVID-19 pandemic?**

\*Yes, ISMIE will offer Suspended Coverage during an absence from practice lasting at least 30 days to a maximum of one year. Please note the important details of suspended coverage:

- **No coverage** is afforded for the rendering of active patient care.
- Your current annual premium will be reduced to 25% of the standard rate applicable to your specialty designation, territory, limits of liability and maturity year (if applicable).
- During the time the policy is on Suspended Coverage you may report claims for care rendered during your active policy period.

\*Applicable to ISMIE Mutual policyholders only, does not apply to ISMIE Indemnity policyholders.



**Will ISMIE provide prompt coverage if we need to hire additional physicians and allied health personnel in response to the COVID-19 pandemic?**

Yes, we will work with policyholders and brokers to fast-track the application process to quickly add providers to the policy who are needed on an urgent basis related to the pandemic. Please reach out to your broker or underwriter immediately to ensure coverage is in place.

**What if I need to temporarily expand services in my practice due to the crisis, such as performing procedures not typically performed?**

ISMIE will work with you to ensure your policy provides the appropriate coverage. Please contact your broker or underwriting to discuss any significant changes in your practice. Keep in mind, care rendered on an emergency basis or on a volunteer basis without remuneration typically falls under Good Samaritan statutes.

**Will ISMIE provide coverage to all policyholders for virtual patient visits/telemedicine?**

Your ISMIE coverage will protect you as it does for your normal practice activities that you have already reported to ISMIE. Virtual visits/telemedicine services conducted with patients in the state you normally practice in do not need to be reported to ISMIE. Be mindful to follow all applicable state laws – only treating patients in states where you are licensed, and have been reported to ISMIE. Please note there are very specific exceptions to the requirement for state medical licensure, which we have detailed for you in the next question of our Q&A.

Please also review the details outlined below which are very specific and relate to care of Medicare/Medicaid patients and pediatric patients covered by the Children's Health Insurance Program (CHIP). Additionally, for your reference please review the following resource from the Federation of State Medical Boards which lists several states that have modified licensure requirements: <http://www.fsmb.org/advocacy/covid-19/>.

If you are adding a new state of practice, please contact your broker or ISMIE's underwriting staff to ensure your policy can extend to another state; some states require participation in the state's patient compensation fund or similar program, and we can help you navigate these requirements to ensure compliance. Keep in mind, care rendered on an emergency basis or on a volunteer basis without remuneration typically falls under Good Samaritan statutes.

Also note, in light of the COVID-19 public health emergency, the HHS Office of Civil Rights announced that as of March 6, 2020, physicians may use any audio or video communication technology that is non-public facing to care for patients, and they won't face penalties if those telehealth services do not fully comply with HIPAA regulatory requirements.

ISMIE offers you additional resources to guide you through the ins and outs of Telemedicine on our website: <https://www.mymeded.com/resource-library/telemedicine>.



## **What about working in other states due to this crisis?**

ISMIE will work with you to ensure your policy provides the appropriate coverage in states where you are licensed. If you are adding a new state of practice, please contact your broker or ISMIE's underwriting staff to ensure your policy can extend to another state; some states require participation in the state's patient compensation fund or similar program, and we can help you navigate these requirements to ensure compliance. Keep in mind, care rendered on an emergency basis or on a volunteer basis without remuneration typically falls under Good Samaritan statutes.

### **Please Note:**

Following the declaration of an emergency under the Public Health Service Act, the Stafford Act, and the National Emergencies Act, the Secretary of Health and Human Services has waived certain Medicare, Medicaid, and Children's Health Insurance Program (CHIP) requirements under Section 1135 of the Social Security Act to ensure that sufficient health care items and services are available to meet the needs of individuals enrolled in Social Security Act programs in the emergency area. Pursuant to this new order, health care professionals who provide such services in good faith can be reimbursed and exempted from sanctions (absent any determination of fraud or abuse).

The HHS Secretary has issued Section 1135 waivers which among other matters waived the requirement that out-of-state providers be licensed in the state where they are providing service, so long as they have an equivalent license in another state. This applies to health care professionals furnishing services to individuals enrolled in Medicare, Medicaid, and CHIP.

This federal waiver only applies to these federal program. State licensure laws apply to other health care. However, please note that several states have modified licensure requirements. Visit the Federation of State Medical Boards' COVID-19 web page for to view a list of states declaring emergency declarations and details on licensing waivers:

<http://www.fsmb.org/advocacy/covid-19/>.

## **Does the ISMIE policy cover patient care for claims involving COVID-19?**

ISMIE's sole mission is to protect our policyholders in providing care to patients. While we fully expect to protect our physicians treating patients with COVID-19, all claims must be handled on a case-specific basis and in accordance with the policy language, insured status and patient-physician relationship. Some immunity may apply and/or liability may be reduced for physicians rendering emergent care to those infected with COVID-19 given evolving treatments, and for circumstances outside a physician's controls. We are proactively addressing legislative issues.



### **How will ISMIE support retired physicians?**

ISMIE's previously insured retired physicians can rest assured that your ISMIE retirement tail will not be jeopardized if you choose to temporarily provide patient care specifically related to this pandemic crisis. There is no need to contact ISMIE to report your temporary activities unless you need ISMIE to provide coverage for your return to practice. Please note, physicians providing voluntary care without remuneration are typically protected under Good Samaritan statutes.

### **What coverage options will ISMIE offer retired physicians seeking coverage to return to practice temporarily related to the coronavirus crisis?**

- ISMIE offers occurrence coverage so you will not need to secure tail coverage when your temporary return to practice ends.
- ISMIE can offer you an individual policy or if you join an ISMIE insured group, the practice can add you to their existing group policy with ISMIE.