

COVID-19 UPDATE



### A note from our CEO

Tim Kenesey has reaffirmed MedPro's commitment and ability to protect and support our customers during this crisis and beyond.

[Read Letter](#)

### MedPro Group's COVID-19 FAQs and Risk Resources

We're committed to serving our customers and distribution partners in both favorable conditions and through challenging times. At a time when the COVID-19 (Coronavirus) pandemic is generating concerns and questions, we remain steadfast in our mission to support our customers with peace of mind, expertise and choice.



#### COVID-19 Frequently Asked Questions

We've put together a list of FAQs to address some common concerns you may have during this time.

[Coverage Questions](#)

[Billing Questions](#)

[Other Questions](#)



#### COVID-19 Risk Resources

Additionally, we are maintaining a series of links to COVID-19 risk resources from authoritative organizations.

[COVID-19 Risk Resources](#)

Finally, we wish to honor and thank our customers for continuing to play a vital role in supporting our healthcare system and communities through this crisis. We're honored to support your work.

# Your Coverage Adjustment

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## Frequently Asked Questions

The responses below are intended to apply for circumstances arising from the COVID-19 pandemic and are subject to revision as circumstances evolve.

> **UPDATED MARCH 26, 2020**

### Coverage Questions

Please note all coverage is subject to actual policy terms and conditions.



#### 01 Am I covered for patient claims involving COVID-19, including the unintentional transmission of the novel coronavirus (SARS-CoV-2)?

Yes. We expect most patient claims alleging professional negligence relating to COVID-19 would be covered. MedPro has no plans to modify or restrict existing coverage as it relates to COVID-19. If you're concerned about coverage for COVID-19 claims involving transmission of the virus to employees, we suggest reviewing your workers compensation policy for potential coverage. For claims involving transmission of the virus to members of the general public, we suggest reviewing your general liability policy for potential coverage.

#### 02 (UPDATED 3/24/20) Do I need to maintain my liability insurance in light of the recent HHS declaration granting limited immunity from liability for certain providers treating COVID-19 patients?

While the scope of the HHS declaration referenced below is subject to interpretation, it does not appear to broadly grant providers immunity from professional liability for most actions related to COVID-19. The specific application of the declaration will depend on the particular facts and circumstances of each case. In the event a claim is made against you, MedPro will defend any covered claim regardless of whether immunity applies.

The U.S. Department of Health and Human Services issued a [Declaration](#) effective February 4, 2020 pursuant to the federal Public Readiness and Emergency Preparedness Act (PREP Act). Under that Declaration, licensed health professionals are immune from liability for prescribing, administering, or dispensing "Covered Countermeasures" – defined as "any antiviral, any other drug, any biologic, any diagnostic, any other device, or any vaccine, used to treat, diagnose, cure, prevent, or mitigate COVID-19, or the transmission of SARS-CoV-2 or a virus mutating therefrom, or any device used in the administration of any such product, and all components and constituent materials of any such product."

While there is uncertainty about how this HHS declaration may apply to "off label use" of drugs to treat COVID-19 (e.g., Hydroxychloroquine + Azithromycin), HHS has developed [PREP Act Q&As](#), according to which prescription/administration of off-label or unapproved drugs can be within the scope of the immunity, provided that the drug has been authorized by the FDA for emergency or investigational use justifying its use to treat COVID-19. In any event, MedPro policies do not necessarily exclude use of "off label" drugs for treatment of COVID-19 or other conditions.

#### 03 (UPDATED 3/24/20) Do I need to maintain my liability insurance in NY in light of the recent State of New York Executive Order granting immunity to certain providers for claims arising out of the response to the COVID-19 outbreak?

The State of New York issued [Executive Order 202.10](#) on March 23, 2020. Among its provisions, the Executive Order grants immunity to physicians, physician assistants, specialist assistants, nurse practitioners, licensed registered professional nurses and licensed practical nurses for many claims that may arise out of providing medical services in support of the State's response to the COVID-19 outbreak. However, the scope of immunity is not entirely clear, and it does not extend to injury or death caused by "gross negligence." The specific application of the Executive Order will depend on the particular facts and circumstances of each case. In the event a claim is made against you, MedPro will defend any covered claim regardless of whether immunity

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04

Will my coverage remain in force if I suspend some or all of my practice (e.g., elective and non-urgent procedures) pursuant to RECOMMENDATIONS from the CDC, federal, state & local governments, healthcare accreditation organizations, licensure boards, and medical & professional associations – even if those entities provide differing recommendations?

Yes. You do not need to notify us about such temporary changes.

05

Will my coverage remain in force if I continue to practice despite RECOMMENDATIONS to suspend some or all of my practice (e.g., elective and non-urgent procedures) from the CDC, federal, state & local governments, healthcare accreditation organizations, licensure boards, and medical & professional associations – even if those entities provide differing recommendations?

Yes. You do not need to notify us about such temporary changes.

06

Will my coverage remain in force if I temporarily convert some or all of my existing practice to telemedicine or virtual office visits for existing and/or new patients?

Yes, as long as those patients are located in a state(s) in which you are authorized or licensed to practice, even if your practice in that new state is being conducted under an applicable federal or state waiver. You do not need to notify us about such temporary changes. However, starting a new practice or business (with a new patient base) will require an application and will be subject to underwriting review.

07

Will my coverage remain in force if I am temporarily practicing in/from a different physical location (e.g., another facility, office, parking lot, temporary testing center)?

Yes, as long as those patients are located in a state(s) in which you are authorized or licensed to practice, even if your practice in that new state is being conducted under an applicable federal or state waiver. You do not need to notify us about such temporary changes.

08

Will my coverage remain in force if I am temporarily practicing in a new state in which I AM authorized or licensed to practice in response to the COVID-19 pandemic?

Yes. However, you should notify us as soon as possible if you are beginning to practice in CT, IN, KS, LA, NE, NM, PA and WI since those states may require separate limits, additional information and/or premium for enrollment in their state funds.

09

Will my coverage remain in force if I am temporarily practicing in a new state (whether care is provided in-person or remotely) in which I AM NOT authorized or licensed to practice?

Yes, if your practice in that new state is being conducted under an applicable federal or state waiver.

10

Will my coverage remain in force if I am asked to temporarily provide care outside my specialty or scope of practice and do so?

In order to help us review your situation, please contact us as soon as possible to obtain approval.

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yes.

11

Will my policy provide coverage if we rehire retired or inactive doctors, advanced practice providers and staff?



## 12 (UPDATED 3/26/20) Will my policy provide coverage if I hire a substitute (locum tenens) provider due to COVID-19 developments?

Yes, coverage is available at no additional premium for qualifying providers (incl. physicians, surgeons, dentists, chiropractors, podiatrists, optometrists) who wish to employ a locum tenens provider during a short-term absence not to exceed 45 days. You do not need to notify us about such temporary changes.

Please note we are unable to provide locum tenens coverage in CT or for fund-enrolled providers in IN, KS, LA, NE, NM, PA and WI.

## 13 Will my policy provide coverage for volunteer work?

Yes, for insureds already covered on a policy. If someone is not currently an insured on a policy, they must apply for coverage with MedPro in order to be added to the policy. In addition, there may be protections afforded to individuals under certain state Good Samaritan laws.

## 14 Will my policy provide coverage if we provide daycare services for children of employees?

For those policyholders who purchase General Liability coverage, we will consider requests to cover such temporary arrangements.

## 15 Will MedPro be able to address any urgent coverage changes or requests related to the providing of care in support of COVID-19 medical efforts?

We realize that COVID-19 developments may result in a need for additional medical support in many communities. This may include the addition of new providers, some of whom may be coming out of retirement, as well as existing providers looking to expand the scope of their duties. We will make every effort to prioritize these types of time-sensitive coverage requests. We ask that you reach out to your agent or broker who can help us identify and prioritize any such time-sensitive requests.

## 16 Is business interruption or crisis management coverage available for losses involving COVID-19?

MedPro's healthcare liability policies do not provide Business Interruption coverage. We suggest you reviewing your property insurance policy for potential coverage. With respect to crisis management coverage, some MedPro policies for hospitals, senior care and healthcare facilities may provide limited coverage for the reimbursement of disinfection or evacuation expenses and related public relations expenses.

## Billing Questions

### 01 (UPDATED 3/24/20) What if my premium payments are impacted due to COVID-19 developments?

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In order to ease the financial burden faced by our customers during the COVID-19 pandemic, MedPro is temporarily postponing due dates for outstanding premium payments until June 30, 2020 (applicable to payments originally due on or after March 13, 2020). For those customers who elect to pay their premiums, we will continue to accept payments (customers interested in suspending ACH payments must contact MedPro).



the meantime, you should continue to pay PCF surcharges and assessments, along with the accompanying medical premiums, as normal in order to ensure uninterrupted PCF enrollment and coverage.

Please note we are unable to postpone due dates relating to premium finance contracts.

## 02 (UPDATED 3/26/20) What if my practice is being temporarily suspended or reduced due to COVID-19 developments?

If your practice is being suspended or reduced to less than 20 hours per week for at least 45 days, you may qualify for a premium discount applied to that portion of your policy period impacted by the change. Please contact your agent/broker to initiate a request.

## Other Questions

### 01 What should I do if I have questions relating to employment matters in my practice (e.g., asking employees to come to work, sign waivers, go on furlough, take pay cuts, etc.)?

We recommend seeking advice from your personal/employment attorney.

### 02 How are the COVID-19 developments impacting MedPro staff and service?

Our commitment to the health and wellbeing of our employees and families is of utmost importance. We are presently taking steps in each of our office locations to protect our staff and reduce the potential for community spread. While our goal is to avoid or minimize any adverse impact to our customers, we will keep you apprised and updated of any further changes that may cause a disruption to our service levels. To play our part in reducing the spread of this virus, we've restricted all business travel, but remain available by phone, email, video conferencing, etc.

