

Business FAQ's: Large Group and Small Group Commercial Customers

This document has been updated as of April 9, 2020. We will update it as our policies change and more information becomes available.

As COVID-19 spreads, we recognize the adverse economic impact to businesses of all sizes and their employees. Kaiser Permanente wants to address inquiries and offer options to help navigate ways to keep health care coverage in place. Visit account.kp.org for the most up-to-date Kaiser Permanente COVID-19 general information.

Existing business

Eligibility

Q1: If my employee waived coverage, how can my employee enroll during special open enrollment?

A: For large and small groups: Kaiser Permanente will allow a special open enrollment for a 4/1/2020 effective date for employees/dependents that previously waived coverage as long as the enrollment application is received by 4/3/2020. Applications that are received between 4/4/2020 and 4/15/2020 may be applied for a 5/1/2020 effective date if the employer agrees. The following conditions must be met:

- All previously waived employees must be offered coverage under the same contributions as employees already participating.
- Enrollees must remain on the plan for the duration of the contract period unless employment is terminated or there is another qualifying life event for coverage changes.
- The customer understands that accumulated benefits (deductibles and/or out-of-pocket maximums) will not be pro-rated.
- All other medical coverage options must also offer this special open enrollment.

As an alternative, Kaiser Permanente also supports enrollment in the Exchanges that are now open for a special open enrollment. The employer should understand tax implications before opening coverage to waived employees who do not have a qualifying event. Contact your account manager for assistance with virtual open enrollment support options.

Q2: Can I delay the dates of our regular open enrollment to follow our contract effective date due to COVID-19 business impact? (For example: a July 1 renewal would typically offer open enrollment before July effective date. Due to business impact, we cannot offer an open enrollment until later in the year.)

A: For large and small groups: Yes, Kaiser Permanente will allow a delayed open enrollment when it was not offered prior to the contract effective date and is offered to all eligible employees and all carriers allow the open enrollment.

Q3: Can an employee who loses eligibility (e.g., hours reduced, furloughed employee, etc.) retain eligibility if I still pay the employer contributions?

A: For large and small groups: As long as the group and employee are current on their monthly payments, Kaiser Permanente will allow employees that would otherwise have lost eligibility to remain on the plan.

Q4: Can an employee who loses eligibility retain eligibility if I will not pay employer contributions?

A: For large and small groups: If an employee loses eligibility and the group will not cover the employer contribution, the employee is encouraged to explore COBRA, their state-based exchange, the federally facilitated marketplace or Kaiser Permanente individual and family coverage based on a qualifying life event. They may also be able to obtain coverage through a spouse's health care plan. These options are typically available for the employee to elect coverage for a limited period of time, often referred to as a special enrollment or election period. This is not an extensive list of coverage options, and there may be programs available through the state or other entities. For more information on health care coverage options, visit [healthcare.gov](https://www.healthcare.gov) or call the Kaiser Permanente Individual and Family plans line: **800-699-1853**.

Q5: If I hire employees back after a layoff, can they waive the waiting period when they return?

A: Large Group: Kaiser Permanente will allow the group to define the waiting period, as long as the waiting period and employer contribution are consistent for all employees.

Small Group: Kaiser Permanente will allow the group to define the waiting period when the employee returns to work, with no minimum, but no greater than 90 days.

Q6: Can an employee move to a less expensive plan because of the COVID-19 pandemic?

A: Yes, Kaiser Permanente is making an exception to our current rules during the federally declared COVID-19 national emergency. You may choose to conduct a special enrollment period (SEP) for a limited time for all employees to enroll in a less expensive plan. This would include all employees actively enrolled in the plan, regardless of whether they have reduced hours or are furloughed.

Note: Employees won't be able to make another plan change until their annual open enrollment period unless they have a qualifying event. You have the obligation to provide the Summary of Benefits and Coverage (SBC) and notice of material modification to your employees in a timely manner.

Q7: Can an individual who is losing their coverage choose to go without coverage?

A: An individual losing their health coverage can choose to go without coverage but may face a penalty for failing to comply with any state Individual Mandate (CA and District of Columbia applicable) requiring residents to have health care coverage.

Q8: Will Kaiser Permanente in California be recertifying Small Groups during this time?

A: Kaiser Permanente has placed the recertification process on hold until further notice.

Benefits

Q9: If I am not able to submit a plan change request in a timely manner, will Kaiser Permanente Small Group accept a late request?

A: Small Group: Kaiser Permanente will keep our current policy in place that requires plan changes to be submitted by the 15th of the month.

Q10: What if I want to switch to a leaner plan offering?

A: Small and large employers may make a one-time, “mid-plan year” change to downgrade from the current plan they are on to a lower-cost plan or add a downgraded plan alongside their existing plan to reduce their premiums and maintain coverage for the balance of the contract year within the following restrictions, limitations, and guardrails:

This must be a full plan transition and all medical coverage options must make similar changes.

- Customer can only downgrade to a KP Standard Plan, specific benefit customization is not allowed.
- You cannot move to/from KFHP and KPIC plans; we cannot cross accumulate between legal entities.
- Plan changes must be made by a 5/1/2020 effective date
- Accumulation credit to new plan deductibles and OOP maximums can be supported with the following exceptions/limitations:
 - ▶ Customer must keep their same Group ID when changing plans mid accumulation.
 - ▶ Customer must remain under the same line of business (Large Group, Small Group, KPIF).
 - ▶ Groups cannot change plans multiple times within an accumulation period; group cannot make multiple plan changes the same plan year.
 - ▶ No automated accumulation credit when member stays in same group but moves from one region to another.

Q11: Can I enhance an existing plan temporarily due to fear of out-of-pocket expenses for employees?

A: For large and small groups: Kaiser Permanente already offers a number of ways to help members who may experience financial hardships. Cost sharing for medically necessary screening, testing, and treatment for COVID-19 has been reduced to zero dollars (\$0.00) for all Kaiser Permanente fully insured plans. (Self-funded employers will independently decide if they will waive member costs for COVID-19 services.) Additionally, eligible members who are experiencing high medical expenses may apply for our Medical Financial Assistance (MFA) program, which covers emergency and medically necessary health care services, pharmacy services and products, and medical supplies provided at Kaiser Permanente facilities. There is more information available on kp.org. For eligibility rules and how to apply, visit www.kp.org/mfa.

Q12: For Small Group in CA/GA/HI: If an employer terminates their grandfathered/grandmothered (Keep Your Plan) plan, can they be reinstated with the grandfathered/grandmothered (Keep Your Plan) plan?

A: A grandfathered/grandmothered (Keep Your Plan) plan is required to have at least one member continuously enrolled on the plan. If a grandfathered/grandmothered (Keep Your Plan) plan is terminated and there is a gap in coverage, then the grandfathered/grandmothered (Keep Your Plan) plan is no longer an option and only ACA metal plans are available to the group.

Financial

Q13: What happens if I cannot pay due to finances – including an extended grace period?

A: For large and small groups: Kaiser Permanente understands the financial impact that the COVID-19 crisis has had on our customers, members, and communities. Kaiser Permanente is working with regulators and will continue to send bills and notices as normal practice; however, we will not terminate groups for late payments during April.

Q14: Can you offer employee financial assistance?

A: For large and small groups: Kaiser Permanente understands the financial impact that the COVID-19 crisis has had on our customers, members, and communities. Kaiser Permanente is working with regulators and, at this time, will not terminate coverage for non-payment of premium or out-of-pocket expenses through the month of April.

Q15: Is Kaiser Permanente following the California Insurance Commissioner's direction in terms of a 60-day grace period for all insurance policy holders including health insurance? Does this apply to both Large Group and Small Group?

A: For large and small groups: Yes, Kaiser Permanente is following the California Insurance Commissioner's recommendation of allowing a 60-day grace period before suspending coverage. This applies to all of our business regulated by the California Insurance Commissioner, including Large Group and Small Group. While the guidance does not apply to the majority of Kaiser Permanente's business because we are regulated by the Department of Managed Health Care, we are still complying with the grace period for all groups.

Q16: If an employer cannot make their payment, can they be placed on a payment plan?

A: Large Group: Please consult your Kaiser Permanente Account Management team for more information.

Small Group: Please contact Kaiser Permanente Membership Administration to discuss payment plan options.

- California: **800-790-4661, option 1**
- Washington: **855-397-3599**
- Maryland/Virginia/District of Columbia: **877-514-5114**

Q17: My bill includes employees I have terminated; will you allow paying a reduced amount on bill?

A: Kaiser Permanente encourages our group customers to pay their invoice as billed as this reduces the risk of groups becoming delinquent and, for minor changes in enrollment, adjustments are corrected in the next billing cycle. We understand during this time, you may have more fluctuations in monthly enrollment than in normal circumstances. If you have employees who lose coverage after your billing statement is generated, please make sure they are disenrolled with Kaiser Permanente by using account.kp.org to process the termination immediately and review your current enrollment roster.

If you have employees who have been confirmed disenrolled after your current bill generation, you can adjust your payment to match the current enrollment for your plan. Be advised that your next bill will show any adjustments as well as current plus past due amounts

Underwriting and Rating

Q18: For Large Group, will Kaiser Permanente re-rate for enrollment changes?

A: Kaiser Permanente understands the impact that the COVID-19 crisis has had on our customers, members, and communities. At this time, we will not actively re-rate for enrollment changes related to the current crisis.

Q19: I'm a self-funded customer and I am experiencing a large drop in claims. What is causing this?

A: A drop in claims can occur at any time depending on specific utilization. At this time, you may experience a greater drop in claims because most non-urgent and elective procedures have been delayed, and we have leveraged telemedicine visits, most of which are covered by the Integrated Care Management fee, to keep our members safe while meeting their care needs. A best practice is to continue to accumulate at the higher level as you may experience a greater increase in the future for pent up demand of utilization as the COVID-19 crisis subsides.

New business

Same as existing business unless otherwise noted:

Q20: Is Kaiser Permanente taking new group submissions?

A: Yes, our staff is working as usual to support our customers and we are taking new sales submissions. Please continue to submit groups and we will process them as soon as possible. If you are experiencing any challenges with your new group application paperwork, you should contact your Sales team for assistance.

Q21: Will participation be reduced or waived so more new groups are eligible for coverage?

A: New groups are still required to meet the health plan's minimum participation requirement to have group coverage.

Q22: As a new employer applying for coverage, will you waive/reduce contribution?

A: New groups are still required to meet the health plan's minimum contribution requirement to have group coverage.

Q23: I have a new employer seeking coverage whose employees do not meet minimum hours because of the COVID-19 pandemic. Will Kaiser Permanente accept below minimum hours per week?

A: New groups are still required to meet the health plan's minimum hours worked requirement to have group coverage. As an alternative, Kaiser Permanente also supports enrollment in the Exchanges that are now open for a special open enrollment. Our pre-enrollment specialists can be reached at **800-324-9208** and are available to answer your employees' questions Monday through Friday from 7 a.m. to 6 p.m. Pacific time.

Q24: For Small Group, would guaranteed availability (no underwriting parameters) be available for new business?

A: There is no change to our current policy on guaranteed availability.

Q25: For CA Small Group, due to current working conditions, can the employer have additional time to submit enrollment forms?

A: Kaiser Permanente is providing additional time for new small groups to gather and submit enrollment forms and supporting documentation as required by our Small Group Underwriting Guidelines.

New groups that are applying must still comply with existing guidelines and submit their new group application and complete open enrollment by the fifth business day of the month. However, enrollment forms and other supporting documentation can be submitted up until April 15.

We encourage customers to submit early. If we don't receive all required paperwork by April 15, the group will be declined for April 1 and transition to a new effective date of May 1.

Q26: Will Kaiser Permanente accept any form of electronic signature on group applications during this time when access to necessary equipment may be scarce?

A: For large and small groups: Kaiser Permanente can accept all forms of electronic signatures, including DocuSign, other verified signatures, or typed signatures sent via email, which gives us the email/sender of the person signing the application.

For the most current information, contact your Kaiser Permanente representative or account manager.

Although we have attempted to present accurate information, Kaiser Permanente disclaims any express or implied warranty as to the accuracy of any material contained herein, any liability with respect to it, and any responsibility to update this material for subsequent developments. As required by the IRS, we inform you that any tax advice contained in this document was not intended or written to be used or referred to, and cannot be used or referred to, (i) for the purpose of avoiding penalties under the Internal Revenue Code, or (ii) in promoting, marketing, or recommending to another party any transaction or matter addressed herein. Users should consult with their own attorney or tax professional before making tax-related decisions.