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DAILY REPORT

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COMMENTARY

COVID-19 Could Prompt Employers to Offer Telemedicine Health Benefit

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AS EMPLOYERS BEGIN the renewal process for their 2021 group medical plans, they have a unique opportunity to increase convenience and make a positive impact on their employees' health and financial stability.

The COVID-19 pandemic has brought a significant change in how health care is delivered. While telemedicine has been around for more than a decade, it took the pandemic to get Main Street America to give it a try and to push the federal and state governments to allow more flexibility in its delivery. Whether an employer's workforce continues to work fully remote, there is no question but that individuals' desire to access medical services remotely will continue well into the future. Even after the safety issues have subsided, convenience is a key advantage, especially if employees are in rural areas with limited access to available networks.

Employers whose plans do not currently offer telemedicine as part of their medical benefits should reach out to their insurers or network providers to find out how to add it. Many insurers, including the Blue Cross Blue Shield Association, have automatically waived copays for telemedicine provided by in-network providers under their policies. Self-insured employers have the power to choose how they want to handle cost-sharing, although many have already been defaulted into waiving cost-sharing unless they affirmatively opted out (note that any self-insured employer should obtain the consent of its stop loss insurer before making any change).

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Thanks to a temporary safe harbor issued under the CARES Act, a cost-sharing waiver can include individuals enrolled in high-deductible health plans without jeopardizing their ability to make HSA contributions (this safe harbor applies to plan years beginning before Jan. 1, 2022).

For more than a decade, wellness programs have increased in popularity among employers. They serve a variety of purposes, such as reducing employer costs, avoiding employee absences and improving employee health. Common examples include rewards or premium reductions for completing a health questionnaire, annual physicals, flu shots or avoiding tobacco-related products.

COVID-19 has increased the need for wellness programs, especially in the mental and financial health areas. There is no question that the pandemic, isolation and the ever-pervasive risk of infection have taken a toll on the emotional well-being and mental health of employees. For those at-risk of losing their jobs or facing reduced pay, their level of stress is even greater. Employers who do not currently offer a wellness program should consider whether now is a good time to add one. Those who have existing wellness programs may want to broaden them to adopt rewards focused on lessening the impact of the pandemic on the employer's workforce, such as using face masks and sanitizers, temperature monitoring and getting the vaccine once it is available. Virtual counseling, meditation or mindfulness may help employees deal with the emotional and mental health impact of the pandemic. The 11th annual Health and Well-Being Survey from Fidelity Investments and Business Group on Health reported that 95% of employers around the globe now include emotional and mental health programs in their corporate well-being platforms. Financial wellness programs have also increased in popularity, especially given the negative impact of the pandemic on many employees' incomes and job security.

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There is no doubt that the pandemic has impacted the use of electronic methods of communication. But does this mean that an employer with remote workers can satisfy its legal obligations by using e-delivery? Historically, e-delivery was generally restricted to those employees who had regular access to a computer as part of their normal duties. Text messages were not even discussed in formal guidance. Fast-forward to 2020, when the rules regarding e-delivery have been relaxed for the remainder of the pandemic, allowing the use of emails, text messages and websites to communicate, so long as the recipient is reasonably believed to have effective access.

These relaxed rules have made e-delivery a more realistic option. A variety of web-based programs offer on-line open enrollment systems. Additionally, smaller employers may find that e-mails will suffice. Employers who decide not to move to e-delivery may need to mail materials to remote employees' homes rather than distributing at work. This may require employers to extend their open enrollment process.

While these opportunities have been available in one form or another for years, their value in the workplace has become much more apparent as a result of the pandemic. We expect to see many employers enhancing their plans in these areas.