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Commissioner's Bulletin # B-0015-20

March 27, 2020

To: All insurers licensed to write life and accident and health insurance, health maintenance organizations, and health care providers

Re: COVID-19: Claim-submission deadlines

Tolling claim-submission deadlines under prompt payment laws

On March 13, 2020, Governor Greg Abbott issued a disaster declaration in response to the COVID-19 pandemic. The Texas Department of Insurance (TDI) reminds insurance companies, health maintenance organizations, and health providers that the Texas Insurance Code and TDI rules allow providers to toll the deadline by which they must submit claims under the state's prompt payment laws.

Texas Insurance Code Sections 843.337(b) and 1301.102(d) and TDI rule 28 TAC Section 21.2819 authorize tolling of the submission deadline when a provider cannot meet the deadline due to a catastrophic event, such as the COVID-19 pandemic.

Providers that cannot meet the claim submission deadline due to the COVID-19 pandemic must notify TDI at PromptPay@TDI.texas.gov. TDI will make available to health plans [a list of providers that have submitted notice to TDI](#).

When the provider returns to normal business operations, it must:

- Send TDI a certification of the catastrophic event within 10 days after the date business operations return to normal.
- The certification must be a sworn affidavit, must identify the specific nature and dates of the catastrophic event, and must state the length of time the event caused an interruption in the provider's submission of claims.
- The certification must be sent to MCQA, Texas Department of Insurance, P.O. Box 149104, Mail Code 106-1E, Austin, Texas 78714-9104.

A valid certification will toll the claim submission deadline for the same length of time identified in the certification, regardless of any contractual provisions to the contrary. However, providers who fail to timely submit a valid certification may forfeit their right to payment.

For more information, contact: MCQA@tdi.texas.gov

Last updated: 4/7/2020

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