



Government of the District of Columbia  
Vincent C. Gray, Mayor  
Department of Insurance, Securities and Banking



William P. White  
Commissioner

## NOTICE

**TO:** Insurers, Hospital and Medical Services Corporations, and Health Maintenance Organizations Licensed to do Business in the District of Columbia

**SUBJECT:** Emergency Department HIV Screening

**DATE:** October 18, 2011

The purpose of this notice is to direct all insurers, Hospital and Medical Service Corporations, and Health Maintenance Organizations licensed to engage in the business of insurance in the District of Columbia to the requirement to reimburse insureds for the cost of obtaining voluntary HIV screening tests performed while the insured is receiving emergency medical services. Specifically, D.C. Official Code § 2803(b) provides:

“A health benefit plan shall reimburse the cost of a voluntary HIV screening test performed on its insured while the insured is receiving emergency medical services, other than HIV screening, at a hospital emergency department, whether or not the HIV screening test is necessary for the treatment of the medical emergency which caused the insured to seek emergency services.”

In this regard, Mayor Gray recently requested the Department of Health to “report to [the Mayor] in 45 days on how [the District] can better enforce the law and increase HIV testing as a billable service.” In response, the Department of Health has begun encouraging hospital emergency departments to file claims for reimbursement of HIV tests as allowed by law.

Accordingly, insurers, Hospital and Medical Services Corporations, and Health Maintenance Organizations should expect to see a significant increase in such claims as part of the billing statements for emergency room treatment, and be further reminded of their obligations under the District’s prompt pay requirements found at D.C. Official Code § 31-3131 *et seq.*

Any questions on this notice can be directed to Philip Barlow, Associate Commissioner for Insurance, at [philip.barlow@dc.gov](mailto:philip.barlow@dc.gov) or (202)442-7823.