

Karima M. Woods, Commissioner

Commissioner's Order 01-2022

## **ORDER WAIVING PRIOR APPROVAL FOR INDIVIDUALS WHO TEST POSITIVE FOR COVID-19**

WHEREAS, on March 11, 2020, Mayor Muriel Bowser declared a Public Emergency and Public Health Emergency through Mayor's Orders 2020-045 and 2020-046. The Public Emergency and Public Health Emergency have been extended on multiple occasions, including by Mayor's Order 2021-147. The findings in the Mayor's Orders relating to COVID-19 are incorporated here.

WHEREAS, the Mayor, her appointed agency directors, and the Council of the District of Columbia have undertaken various measures to ameliorate the spread of the disease and provide relief for those impacted by the health and economic effects of the virus, including the enactment of the Department of Insurance, Securities and Banking Emergency Powers Emergency Amendment Act of 2021, effective November 5, 2021 (Act 24-205; 68 DCR 12186), and the temporary act, that empowers the Commissioner of the Department of Insurance, Securities and Banking ("Department") to issue emergency rulemakings, orders or bulletins to address the crisis;

WHEREAS, pursuant to D.C. Official Code §§ 7-2304(b) and 7-2304.01(d), Mayor Bowser has authorized and directed the Commissioner to exercise the emergency powers conferred by the Act as are necessary to protect the interests of insurance companies, policyholders, and the public;

WHEREAS, as the pandemic continues to impact individuals and businesses globally and locally, public health officials continue to learn more about SARS-CoV-2, the resulting variants, the range of symptoms reported by individuals diagnosed with COVID-19, the incubation period for the virus, and the risk of transmission posed by asymptomatic individuals;

WHEREAS, in recent months, the transmission of SARS-CoV-2 has been attributed to asymptomatic persons attending large events and family gatherings across the US and abroad. These findings underscore the need for clinicians and public health practitioners to work rapidly to identify and diagnose asymptomatic individuals who are actively infected with SARS-CoV-2 and thus have the potential to transmit the virus to others;

WHEREAS, the District of Columbia has seen a 251% 14-day increase in COVID-19 related hospitalizations. In furtherance of the objective to mitigate the public health crisis, it is critically important that all District residents who test positive for COVID-19 have timely access to medical treatment for potential lifesaving care;

THEREFORE, it is hereby ORDERED that until rescinded or no longer authorized by District of Columbia law, all carriers offering health benefit plans in the District, as defined in D.C. Official Code § 31-3301.01(20), shall waive any prior approval or step therapy for medical benefits for the treatment of COVID-19 under the care of a treating physician, or to effectuate timely discharge of a patient who was being treated for COVID-19.

Date: January 13, 2022

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Karima M. Woods  
Commissioner  
Department of Insurance, Securities and Banking

For information and resources regarding the District's response to COVID-19, please visit:  
<https://coronavirus.dc.gov/>.