

## Frequently Asked Questions (FAQ)

COVID-19 has expanded its reach across our nation and has impacted providers and facilities in profound ways. This unprecedented disruption has many wondering how their coverage may respond to claims related to COVID-19. Below are questions and answers that address this concern. The following items are offered for general informational purposes only. Please consult your policy, including all applicable endorsements, amendments, and restrictions, to ascertain the scope of coverage under any particular set of circumstances.

We also recommend you consult with your Agent/Broker with any questions you may have. Coverage determinations for any particular claim are made on a case-by-case basis, subject to all terms and conditions of the applicable policy. Nothing in this document alters or amends the terms of any insurance agreement.

1. *Does my policy exclude coverage for allegations related to a pandemic?*

Generally, Coverys' Medical Professional Liability (MPL) and Commercial General Liability (CGL) policies do not exclude coverage related to a pandemic. Coverys' MPL policies will continue to respond to allegations arising from professional services including those involving COVID-19, subject to the applicable terms and conditions of the policy.

2. *Many questions relate to potential allegations arising from failure to diagnose, failure to order a test, lack of access to testing, etc., in the setting of the COVID-19 pandemic. How might my policy respond to such allegations?*

Coverys' MPL policy will generally respond to allegations of failure to diagnose the disease as part of professional services, subject to the terms and conditions of the applicable policy.

3. *Providers practicing at new locations may not be familiar with policies and procedures. Will the provider's coverage apply to any failures as a result of this during this emergency?*

Coverys' MPL policy will generally respond to allegations of negligence in the course of performing professional services, subject to the terms and conditions of the applicable policy and provided there are no additional restrictions on location attached to your policy.

4. *Are volunteers covered as part of the Coverys policy?*

Individuals who are volunteering their time to a policyholder generally fall within the definition of Insured on the MPL and CGL policies. Coverys Risk Management recommends policyholders refer to their state emergency credentialing guidelines through their licensing board.

5. *What if a patient arrives at the facility, and as a result, COVID-19 spreads to other individuals?*

A claim may allege failure to protect patients or visitors within the facility. Such a claim may fall within the terms of an MPL or CGL policy, depending upon the circumstances of the case. For example, if the claimant is already a patient of the facility and the virus spreads to such patient, the suit may be covered under an MPL policy. On the other hand,

coverage for a claim for bodily injury resulting from a hospital visitor contracting the virus might be covered under a CGL policy.

6. *Is business interruption coverage attached to Coverys MPL or CGL policies?*

Our policies do not provide coverage for business interruption. Such coverage may be offered on a property policy, or for smaller policyholders on a Business Owner Policy.

7. *Due to the crisis, a policyholder will be testing patients in a temporary location on their property. How might coverage extend to such scenarios?*

**Medical Professional Liability:**

Coverys' MPL policy generally applies to professional services rendered worldwide, as long as suits are brought within the US or its territories.

**Commercial General Liability:**

Coverys' CGL policy generally applies to bodily injury or property damage for which the policyholder is liable. Should someone be injured on the premises for which the policyholder is liable, the policyholder's coverage will likely extend. Keep in mind that not all of our policyholders maintain CGL coverage with Coverys. Such coverage may be held through a Business Owners Policy, if a small group or facility.

8. *Will coverage extend to providers offering telemedicine services? Does it matter if such services are offered in another state?*

As long as the applicable policy contains no limited coverage endorsement or coverage restriction and all other terms and conditions have been met, Coverys' standard MPL policy will respond to allegations related to professional services performed worldwide, contingent upon the suit being filed in the US or its territories. Such coverage is reliant on proper licensure in the state or states where service is offered.

Federal and state telemedicine-related licensure requirements are evolving rapidly during this crisis, and it is important for providers to be aware of their own licensure circumstances and requirements for practicing in other states.

9. *Policyholders may be covered by a Patient Compensation Fund (PCF). How does that impact coverage in circumstances where the PCF may not cover telemedicine services or policyholders crossing state borders?*

Coverage through a PCF depends on the state statutes governing the PCF. Some states extend coverage for claims arising from professional services rendered in other states, while others are strict in covering only professional services rendered within their own state. During this emergency, it may be that the PCFs must also be flexible in their coverage approach, though it may be some time before that is ascertained.

- Coverys' coverage will generally extend across state lines as long as there is no limited coverage endorsement or coverage restriction.
- Policyholders should consider policy limit requirements in the particular state of practice, including the requirements of such state where they may be crossing the state border.

10. *What is Coverys doing to help our policyholders?*

Coverys is providing continuous updates with respect to COVID-19 which can be accessed through our website at [www.coverys.com/covid-19](http://www.coverys.com/covid-19).

You can also find blog articles and additional resources at our [Knowledge Center at Coverys.com](#).

### **Contacts for Coverys Policyholders**

- Policy and coverage questions on COVID-19: [coviduw@coverys.com](mailto:coviduw@coverys.com)
- Risk management questions on COVID-19: [riskmanagement@coverys.com](mailto:riskmanagement@coverys.com) or 800.225.6168, option 9
- [General inquiries](#)