

**Oregon Department of Consumer and Business Services  
Division of Financial Regulation, Bulletin No. DFR 2020-17**

**TO:** All entities transacting health insurance in Oregon

**DATE:** Sept. 25, 2020

**RE:** Expectations related to wildfires

**Purpose**

The purpose of this bulletin is to clarify the division's expectations for health insurers in the wake of recent wildfires.

**Background**

On Aug. 20, 2020, Oregon Gov. Kate Brown signed Executive Order 20-35, which declared a state of emergency due to critical fire danger throughout Oregon under ORS 401.165.<sup>1</sup>

Since then, wildfire disasters in Oregon resulted in loss of life and property, created imminent health and safety risks, and caused widespread disruption to the normal course of business in many areas of the state.

On Sept. 18, 2020, the director of the Department of Consumer and Business Services issued the Wildfire Emergency Order to all admitted insurers in Oregon to provide relief to insureds in specified wildfire Affected Areas.<sup>2</sup> This emergency order directed immediate actions for all insurers to take for reporting requirements for claims, grace periods for payment of insurance premiums and other duties by insureds, and temporary postponement of cancellations and nonrenewals.

**Guidance for health insurers**

The division encourages all health insurers to take the following active measures to help people and businesses affected by the wildfires:

- Health insurers should take all practicable steps, consistent with the terms of the policy, to ensure enrollees are covered without delay for replacement durable medical equipment, prescription drugs, or other medical supplies, such as insulin, that were

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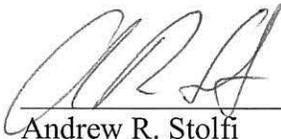
<sup>1</sup> See Oregon Gov. Kate Brown's Executive Order declaring a state of emergency (EO No. 20-35), issued Aug. 20, 2020. EO 20-35: [https://www.oregon.gov/gov/Documents/executive\\_orders/eo\\_20-35.pdf](https://www.oregon.gov/gov/Documents/executive_orders/eo_20-35.pdf)

<sup>2</sup> Department of Consumer and Business Services, Wildfire Emergency Order, issued Sept. 18, 2020 can be found at <https://dfr.oregon.gov/insure/home/storm/Documents/wildfire-emergency-order-20200918.pdf>. The accompanying bulletin on Affected Areas subject to the Wildfire Emergency Order can be found at <https://dfr.oregon.gov/laws-rules/Documents/Bulletins/bulletin2020-16.pdf>.

destroyed as a result of the fires or unavailable to enrollees due to evacuation or displacement.

- Health insurers should grant exceptions from network requirements to ensure that enrollees who seek treatment from out-of-network providers or at an out-of-network facility as a result of the fire are not subject to greater cost sharing than would apply at an in-network provider or facility. This includes enrollees who seek care out-of-network while evacuated or displaced from their home and any enrollees who are unable to access an in-network provider due to office or road closures.
- Health insurers should allow more flexibility to medical providers whose practices were destroyed, closed, or otherwise adversely affected by the wildfires. This includes extending deadlines for providers to submit claims and respond to insurer requests related to outstanding claims, medical management, prior authorization, internal appeals, external review, and any related matters.
- Health insurers should make sure replacement copies of insurance policies, membership cards, and other documents are readily available to its members, including making these materials available electronically whenever possible.

This bulletin takes effect immediately. It remains in effect until amended by another bulletin from the division.



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Andrew R. Stolfi  
Insurance Commissioner and Director  
Department of Consumer and Business Services

9/25/2020

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Date