

# INSURANCE

## COVID-19 FREQUENTLY ASKED QUESTIONS



Below are frequently asked questions and answers related to KAMMCO coverage and COVID-19. If you do not find the answer to your question, please call the **KAMMCO Underwriting department** at **800.232.2259**.

### 1. Question

**Due to the COVID-19 pandemic, I am being asked to practice outside my specialty. Will my policy cover me if I work in other areas for my employer or to assist with COVID-19 coverage outside of my usual practice setting?**

#### Answer

KAMMCO recognizes physicians and other healthcare professionals will face situations during the COVID-19 pandemic crisis that they may consider to be outside their traditional specialty training or expertise. Each physician will have to determine for themselves their level of competency regarding these situations. Notwithstanding, subject to the terms, exclusions, and conditions of the policy, KAMMCO's policy of insurance issued to physicians and other defined healthcare providers, provides coverage for the rendering of, or failure to render, professional services by the healthcare provider. This coverage is not specialty or geographically specific, and applies as long as the care is within the scope of your license delivered anywhere the healthcare provider is licensed within the United States of America. If the healthcare provider is a Kansas resident, defined healthcare provider, and in compliance with the Kansas Health Care Stabilization Fund (Fund), the Fund will usually follow the provider anywhere in the United States the care is rendered. Please contact the Fund to verify coverage for your specific circumstances.

During these extraordinary times, KAMMCO appreciates physicians and healthcare providers are experiencing stress caused by the potential liability they may be assuming during the COVID-19 pandemic. While there was an [executive order issued by the Kansas Governor on April 22, 2020](#), that addresses numerous issues, including immunity in some situations, related to COVID-19 healthcare, KAMMCO is working with the Kansas Medical Society and the Kansas Hospital Association to reach out to legislative leadership to clarify and codify liability immunity protections. In the meantime, if you have any questions regarding your professional liability coverage issued by KAMMCO, please feel free to contact KAMMCO at **800.232.2259** and use the prompt to ask for the **Underwriting department**.

### 2. Question

**In response to the ongoing COVID-19 pandemic, we are going to implement a temporary child daycare center for just our hospital employees. Would this activity be covered under our policy, or do we need to buy additional insurance?**

#### Answer

KAMMCO's general liability policy does not exclude coverage for liability exposures due to these activities subject to the terms, exclusions, and conditions of the policy. If you have any questions regarding your coverage, please feel free to contact the **KAMMCO Underwriting department** at **800.232.2259** or email [underwriting@kammco.com](mailto:underwriting@kammco.com).

*This document should not be interpreted as medical or legal advice. Because the facts pertaining to your situation may fluctuate, or the laws in your jurisdiction might vary, please contact your attorney if you have questions related to your legal or medical obligations or rights, state or federal laws, contract interpretation, or other legal questions.*

### 3. Question

Does the cyber insurance we have through KAMMCO cover a breach if it happens while our staff is working from home?

#### Answer

Since KAMMCO's cyber policy doesn't specify work from home versus the office, the policy will cover employees when they work from home. The cyber coverage also covers claims involving breaches due to lost laptops and paper files taken out of the office. Any cyber coverage is subject to all terms, exclusions, and conditions of the policy.

Healthcare facilities and providers should establish standards for their employees to confirm their home networks are secure and have system protections, such as firewalls and virus protection. Due to the pandemic, new cyber threats are popping up, such as viruses embedded in links advertising COVID-19 information or government assistance checks. Employees should be informed and cautioned about these new threats.

The KAMMCO [Cyber Security Resource Center](#) provides useful policies and educational materials, including a sample remote access policy and training bulletins on phishing and confidentiality in the workspace. The KAMMCO Cyber Security Resource Center is located on the KAMMCO Website under the Cyber Security drop-down menu in the Insurance tab on the homepage. If you do not have your access credentials, you can contact the **KAMMCO Member Services department** at **800.232.2259, extension 2740**.

### 4. Question

Will my policy cover me for telemedicine?

**4a. Answer - You are a Kansas doctor who wants to perform telemedicine services for patients in states in which you currently are licensed.**

KAMMCO insured providers may perform telemedicine services within their scope of practice from Kansas to the other states in which they are currently licensed. Providers will need to do their due diligence to ensure they are meeting the telemedicine requirements of the states in which they choose to practice medicine.

**4b. Answer - You are a Kansas doctor who wants to perform telemedicine services in a state in which you do not currently hold a license.**

Due to COVID-19, KAMMCO insured providers may be eligible to practice telemedicine in a state they do not currently hold a license. To determine if you are eligible to provide such care, please contact the Board of Healing Arts in the state in which the care will be received to determine if anything specific is required. Many states are issuing executive orders allowing providers to bypass licensing requirements and provide telemedicine services within their scope of practice. However, these states may require specific steps for notification and/or registration. At this time, KAMMCO is not familiar with every state's executive orders with respect to telemedicine due to COVID-19. Please confirm with the receiving state before proceeding. Once you have met the requirements to provide telemedicine to patients in a given state according to that state's Board of Healing Arts, your policy will cover your telemedicine work for COVID-19, subject to all terms, exclusions, and conditions of the policy.

### 5. Question

What if my Kansas license is not in an active status but I want to help?

#### Answer

The Kansas Board of Healing Arts recognized the potential need for additional support. Please visit <http://www.ksbha.org> to learn more about the options available to healthcare providers willing to provide COVID-19 related care to Kansas patients.

### 6. Question

If I recently took my license to a status other than active and I change it back to active with the Kansas Board of Healing Arts, can I get insurance with KAMMCO quickly to help with COVID-19?

#### Answer

The KAMMCO Underwriting department prioritizes COVID-19 insurance requests and will complete them as soon as possible. For more information, please contact the **KAMMCO Underwriting department** at 800.232.2259 or email [underwriting@kammco.com](mailto:underwriting@kammco.com).

### 7. Question

Do I need to be in compliance with the Kansas Health Care Stabilization Fund (Fund) if I am planning to practice only temporarily to assist with COVID-19?

#### Answer

Yes. If practicing in Kansas, you will need to be compliant with the Fund. Please reach out to the Fund with questions. The Fund website is <https://hcsf.kansas.gov/> and their telephone number is 785.291.3777.

### 8. Question

What if I want to help deliver care in another state?

#### Answer

If you are a Kansas insured, please contact the state in which you would like to practice to determine your eligibility to provide care. Once you have met the requirements to provide care in the state with the respective Board of Healing Arts, your KAMMCO policy will cover your work for COVID-19, subject to all terms, exclusions, and conditions of the policy, as long as the care is delivered anywhere you are licensed within the United States of America.

### 9. Question

Is KAMMCO offering a premium discount due to fewer cases and decreased liability costs during the COVID-19 pandemic?

#### Answer

At this stage of the crises, no one has any way of knowing if the current situation will lead to more, less or the same in terms of claims frequency or severity. In addition to the specter of additional liability risk due to providing care to COVID-19 patients during the pandemic, there is also significant risk to healthcare providers

for the failure to deliver care as a result of the delay in providing non-emergent care or performing elective procedures or tests. Being the only member-owned Mutual not-for-profit in the state of Kansas, if we do determine the claims experience is significantly lower than expected, we have the ability to adjust rates going forward or pay dividends to our members directly.

KAMMCO takes pride in serving its members and commits to doing so by being fiscally responsible. We made a commitment 30 years ago to focus on long-term financial security and stability for Kansas physicians and healthcare providers. There is only one mutual insurer whose leadership is clearly committed to reinvesting in physicians and the healthcare landscape of Kansas. We do not take this commitment lightly and are constantly evaluating the products and services we provide in addition to the price we charge. We work very closely with our actuaries to make sure we are pricing our insurance in a way that allows us to remain stable in the Kansas market. If we are fortunate enough to make a profit, it is value we give back to our members in multiple ways.

Also, we are the only insurance company working with the Kansas Medical Society and the Kansas Hospital Association to advocate on your behalf in the Kansas Legislature and with the Governor during the pandemic. While there was an executive order issued by the Kansas Governor on April 22, 2020 that addressed numerous issues, including immunity in some situations for Kansas related to COVID-19 healthcare, KAMMCO continued working with the Kansas Medical Society and the Kansas Hospital Association to reach out to legislative leadership to clarify and codify liability immunity protections during the final legislative session of 2020. We worked with key healthcare leaders to make sure your voice was heard and additional immunity was passed in house bill 2016.

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## Helpful Links & Resources

**KAMMCO Phone:** 800.232.2259

**KAMMCO Website:** [www.KAMMCO.com](http://www.KAMMCO.com)

**KAMMCO Underwriting:** [underwriting@kammco.com](mailto:underwriting@kammco.com)

**KAMMCO Member Services:** 800.232.2259, Ext. 2740

**KAMMCO Cyber Security Resource:** <https://cybersecurity.kammco.com/>

**Kansas Medical Society:** <https://www.kmsonline.org/>

**Centers for Disease Control:** <https://www.cdc.gov/>

**KDHE COVID-19 Resource Center:** <https://www.coronavirus.kdheks.gov/>

**Kansas Board of Healing Arts:** [ksbha.org/main.shtml](http://ksbha.org/main.shtml)

**Kansas Health Care Stabilization Fund:** <https://hcsf.kansas.gov/>