



Ohio offers employers relief for COVID-19 related work disruptions

March 16, 2020

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On March 15, 2020, Ohio Governor DeWine announced a number of measures that may assist employers that are facing decisions about workforce reductions affected by the COVID-19 (coronavirus) pandemic.

First, the one-week unemployment waiting period normally associated with filing an unemployment claim is being suspended in cases in which claimants are forced to apply for benefits due to coronavirus-related reductions or quarantines (whether ordered by the employer or a doctor) and when the individuals have no paid time off available. The cost of this additional week of benefits to employees will be mutualized so as to limit the financial impact on employers' contribution rates.

Second, employees who apply for unemployment benefits will not be required to actively seek work during the period of layoff or quarantine.

Third, for employers impacted by the lack of staff availability, the Ohio Department of Jobs and Family Services (ODJFS) is waiving employer penalties for late reporting and payment of contributions for the next quarter.

Other emergency relief measures include:

- Permitting bar and restaurant owners to return unopened high-proof liquor purchased within the past month to state agency stores. This courtesy will also be extended to those who obtained a temporary F-2 permit, presumably in anticipation of sports events and St. Patrick's Day festivities. As of March 16, 2020, the buy-back program will run through

April 6, 2020, but could be extended.

- Offering small businesses and nonprofit organizations support and access to the Small Business Administration's (SBA) economic injury disaster loan program, through the Ohio Development Services Agency. This will enable affected organizations to apply for low-interest loans of up to \$2 million to overcome the temporary loss of revenue caused by this health emergency. These funds can be used to pay fixed debts, payroll, accounts payable and other bills. These loans may have up to 30-year terms. (For more information, visit sba.gov/disaster, call SBA at 1-800-659-2955 or contact the State at businesshelp@development.ohio.gov.)

Insurance consideration for employees:

The Ohio Department of Insurance's (ODI) recent bulletins provide ways that insurer can loosen pressures on employees to maintain coverage during the COVID-19 pandemic. See, ODI Bulletins 2020-02, 2020-03 and 2020-05 issued March 20, 2020.

- Insurers are required to permit employers to continue covering employees under group policies despite any "actively at work" or minimum hours requirements. These clauses are often found in group life insurance and AD&D policies. Insurers also may not increase premiums based on decreased enrollment due to COVID-19.
- Insureds are provided with the option of deferring premiums for up to 60 calendar days interest-free.
- COBRA is available as usual to employees of employers with 20 or more employees, provided on person remains actively employed. Ohio's mini-COBRA is available to Ohio employers with fewer than 20 employees for up to 12 months. COBRA and Ohio mini-COBRA are not available if there are not active employees remaining on the plan. Any employees who lose coverage can enroll in ACA Marketplace plans and may qualify for a premium subsidy.
- Cost-share: Out-of-network emergent testing and treatment of COVID-19 must be covered as the same cost-sharing level as in-network coverage and cannot require prior authorization.
- ODI also clarified that travel insurance policies must cover COVID-19 sickness under the terms of the policy. ODI encouraged insurers to relax utilization management, provide telemedicine coverage associated with COVID-19, and ensure sufficient communication with covered persons.

While the above bulletins apply only to fully-insured coverage, self-insured employers should consider whether similar coverage changes are feasible and coordinated with your stop-loss insurer.

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