



Mutual of Omaha

## EMPLOYEE BENEFITS

# COVID-19 OUTBREAK RESPONSE

## WHAT YOU NEED TO KNOW - GROUP INSURANCE POLICIES

At Mutual of Omaha, we exist for our customers. That's why we want you to know that we're closely monitoring the global coronavirus (COVID-19) outbreak and taking measures to promote the health and safety of our customers and associates. We remain committed to providing superior service to our policyholders and we are taking active steps to prevent any disruption to our business processes.

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### Q. HOW IS MUTUAL OF OMAHA RESPONDING TO CORONAVIRUS?

We have created a multi-disciplinary team of subject matter experts meeting daily, to closely monitor, assess and respond to the coronavirus situation as it develops. This team includes claims experts and clinical resources who are utilizing best practices for this quickly evolving pandemic. This includes monitoring and assessing trends for both employers and employees.

### Q. HOW DOES MUTUAL OF OMAHA MANAGE CLAIMS RELATED TO THE COVID-19?

We will manage the claims pursuant to the policy that the employer has in place. If an individual is disabled due to a medical condition (i.e., confirmed Coronavirus or another illness), we will manage the claim pursuant to the policy as we do for other disabling conditions.

If the employee is symptomatic, then he/she may have a qualifying condition under FMLA (or even the ADA) which would require him/her to take leave. An important consideration is that the employee must be quarantined and not able to return to work. To the extent the quarantine is optional and the employee is symptomatic, the employee may also qualify for FMLA.

### Q. IS AN INDIVIDUAL THAT IS QUARANTINED CONSIDERED DISABLED?

If an employee is quarantined, we will work with the employer to determine if it is able to allow the employee to work remotely. If an employee is voluntarily quarantined without a confirmed medical condition, that person most likely will not meet the definition of disability in the policy.

Given the uniqueness of this pandemic, if an individual is placed in quarantine as recommended by a medical professional or governmental health association, and the individual is later diagnosed with COVID-19, and there is no break between quarantine and diagnosis, we will consider the first date of quarantine as the date of disability.

### Q. "ACTIVELY WORKING" DURING QUARANTINE - DOES COVERAGE CONTINUE?

Every situation must be evaluated on the specific facts presented. If an employee is quarantined or requested to "self-isolate," but is able to continue working, the employee is still Actively Working and coverage will continue as normal. Generally, if an employee is requested to voluntarily quarantine by a medical provider, a governmental health department or his/her employer, and the employee is not able to work as he/she normally would, we would consider such an individual in quarantine to be Actively Working under the policy, provided the employee was Actively Working prior to the quarantine. Premiums would need to continue to be paid.

If the employee is quarantined, the duration of Actively Working would fall within the guidelines of the Centers for Disease Control, which is two weeks. If the quarantine is required by a treating medical provider or governmental health association, their guidance will be taken into consideration to determine the duration of Actively Working.

#### **Q. IF AN EMPLOYEE CHOOSES TO DROP VOLUNTARY COVERAGE DURING FURLOUGH OR LAY OFF AND WANTS TO REINSTATE COVERAGE WHEN THE FURLOUGH OR LAY OFF ENDS, HOW IS THIS ADMINISTERED?**

If insurance ends because an employee is no longer working due to a furlough or layoff, the employee may be able to reinstate coverage when he/she returns to Active Work. Reinstated coverage is administered according to the policy.

#### **Q. IF AN EMPLOYER DECIDES TO REDUCE AN EMPLOYEE'S WORK HOURS, HOW DOES THIS APPLY TO THE DEFINITION OF ACTIVELY AT WORK?**

If insurance ends because an employee is no longer Actively Working due to a reduction in hours, the employee may be able to reinstate coverage when he/she returns to Active Work. Reinstated coverage is administered according to the policy.

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#### **LEAVE SERVICES**

##### **Quarantined employees who are asymptomatic**

Quarantined employees who are asymptomatic (or not feeling ill or showing any physical signs of illness) and can work remotely are not in need of leave. As a result, the FMLA and other laws governing job-protected leave generally should not be applied to those employees, even if working remotely is a change in how they normally perform their work.

Employees whose jobs do not allow for remote work may require a leave of absence. However, such leaves generally do not qualify as leave under the FMLA or the Americans with Disabilities Act (ADA) because those employees do not have either of the following:

- 1) a serious health condition that makes them unable to perform the essential functions of their job or
- 2) a disability for which leave is an accommodation

##### **Quarantined employees who are symptomatic**

Symptomatic employees likely would have a qualifying condition under the FMLA which would require them to take leave. If the employees are ineligible for the FMLA or have exhausted their 12 weeks, they may still have time under an analogous state leave law or under the ADA. With regard to the ADA, even though this virus does not seem to manifest in long-term symptoms, the Americans with Disabilities Act Amendments Act (ADAAA) and subsequent case law have generally held that severe illnesses such as COVID-19 would qualify as a disability under the law.

Please Note: Congress is currently considering legislation that may impact the above analysis and we will provide updates as needed.

#### **ACCIDENT**

Accident policies do not provide benefits for the diagnosis or treatment of coronavirus.

#### **CRITICAL ILLNESS**

Coronavirus is not a covered condition under our Critical Illness policies.

#### **DISABILITY**

We will manage claims according to the policy, as we would with any other medical condition. If a person has a diagnosis of coronavirus and is unable to work, he/she may be eligible for disability benefits. If a person is diagnosed or quarantined, but is still able to work, even remotely, he/she will not be deemed disabled under the policy.

Administrative Services Only (ASO): We will work closely with our ASO self-insured customers to administer their plans in accordance with their needs.

#### **LIFE INSURANCE**

If a person dies while covered by the policy, benefits will be paid according to the policy, unless payment is prevented by a policy exclusion.

### **WORLDWIDE EMERGENCY TRAVEL ASSISTANCE**

Experiencing an emergency while traveling can be especially difficult. Knowing who to call for medical problems is critical. Travel assistance services offer access to a network of professionals who can help with local medical referrals or other emergency assistance service anywhere in the world.

### **EMPLOYEE ASSISTANCE PROGRAM (EAP)**

Our EAP professionals are always just a call away, ready to lend an ear and make referrals as appropriate based on the EAP services of your policy. Telephonic services are available 24 hours a day, 7 days a week.

#### **NEED HELP? LET US KNOW.**

We are committed to working closely with you and your clients to navigate through this dynamic and challenging time. If you have questions, please reach out to your local Sales Representative.

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