

Extension of Certain Timeframes for Employee Benefit Plans

May 6, 2020

On April 29, 2020, the U.S. Departments of Labor and the Treasury (together, the “**Departments**”) issued a notice (the “**Notice**”) requiring that all group health plans, disability and other types of employee welfare benefit plans, and employee pension benefit plans, subject to ERISA and the Internal Revenue Code, must disregard the period from March 1, 2020 until 60 days after the announced end of the COVID-19 National Emergency or such other date as announced by the Departments in a future notice (the “**Outbreak Period**”) for the following periods and dates:

- The 30-day period (or 60-day period, if applicable) to request HIPAA special enrollment;
- The 60-day election period for COBRA continuation coverage;
- The date for making COBRA premium payments;
- The date for individuals to notify the plan of a COBRA qualifying event or determination of disability;
- The date within which individuals may file a benefit claim under the plan’s claims procedures;
- The date within which claimants may file an appeal of an adverse benefit determination under the plan’s claims procedures;
- The date within which claimants may file a request for an external review after receipt of an adverse benefit determination or final internal adverse benefit determination; and
- The date within which a claimant may file information to perfect a request for external review upon a finding that the request was not complete.

In addition, the Notice allows group health plans to disregard the Outbreak Period when determining the date for providing COBRA election notices.

The changes outlined in the Notice may require modifications to future communications with participants.

The Notice is available [here](#).