

SBC Relief for COVID-19 Coverage or Telehealth Changes to Group Health Plans

April 30, 2020

Generally, if an employer-sponsored group health plan makes a material modification to coverage midyear that would affect the content of the plan's Summary of Benefits and Coverage (SBC), the plan administrator must provide participants with 60 days prior notice of the modification. The U.S. Departments of Labor, Treasury, and Health and Human Services have issued a FAQ stating that they will not take any enforcement action against any plan for not providing such notice when the modification is to provide greater coverage related to the diagnosis and/or treatment of COVID-19 or to add benefits or reduce or eliminate cost sharing for telehealth and other remote care services. However, the plan administrator must still provide notice of the changes to participants as soon as reasonably practicable. This non-enforcement policy only applies while there is a public health emergency declaration or national emergency declaration related to COVID-19 in effect. The FAQs are available here:

<https://www.dol.gov/sites/dolgov/files/ebsa/about-ebsa/our-activities/resource-center/faqs/aca-part-42.pdf>.