

# COBRA BENEFIT DEADLINES

JUNE 2020

## Updated Model COBRA Notices Available

The Department of Labor (DOL) recently issued [new model notices](#) for group health plan administrators to use to comply with COBRA notification requirements.

Although plan administrators are not required to use the updated model notices, the DOL generally considers their use—with the addition of appropriate plan information—to be good faith compliance with COBRA's content requirements for:

- The general notice of coverage continuation rights, which must

be provided to each employee and spouse within 90 days of coverage.

- The notice of a qualified beneficiary's right to elect continued coverage, which must be provided within 14 days after receiving notice of a qualifying event.

The updated model notices aim to help qualified beneficiaries better understand the interactions between Medicare and COBRA. Additional details about Medicare and COBRA enrollment options are also included in the updated model notices.

## COVID-19 Relief for Employee Benefit Plan Deadlines

The DOL and the Department of Treasury (Treasury) recently issued [deadline relief](#) to help employee benefit plans and plan participants affected by the COVID-19 outbreak.

### Participant Notices

The final rule extends the time frames for health plan participants to:

- Request special enrollment under HIPAA
- Elect COBRA continuation coverage, pay COBRA premiums and notify the plan of a COBRA qualifying event
- File benefit claims and appeals, and request external review of denied claims

These deadlines are extended by disregarding the "Outbreak Period." The Outbreak Period is the period of time from March 1, 2020, until 60 days after the announced end of the National Emergency (or such other date announced by the DOL and Treasury). The Outbreak Period cannot exceed one year.

### ERISA Notices and Disclosures

In addition to the deadline relief for plan participants, the DOL issued [Disaster Relief Notice 2020-01](#) to extend the time for plan officials to furnish benefit statements and other notices and disclosures required under ERISA.

Some of the key disclosures required by ERISA include the Summary Plan Description (SPD), Summary of Material Modifications (SMM) and Summary of Benefits and Coverage (SBC).

This relief is available to plans that act in good faith to furnish required documents as soon as administratively practicable. Acting in good faith can include using electronic communication to provide documents if certain requirements are met.

### More Information

There are additional deadlines affected by the COVID-19 relief. Contact us today to learn which other benefit plan deadlines are extended.

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