



## IRS and DOL Provide Relief from Certain Time Deadlines for Participants & Health Plan Sponsors Due to COVID-19 Pandemic

Recognizing the impact of the COVID-19 pandemic, the Department of Labor and the Department of the Treasury have [issued Notice 2020-01](#), which extends certain time frames affecting a participant's right to elect continuation of group health coverage under COBRA, pay premiums for COBRA continuation coverage, submit claims for coverage, and dispute denials of claims for benefits. The guidance also extends the period of time that a group health plan sponsor or administrator has to provide a COBRA election notice.

Normally regulated time frames for these actions will now be disregarded retroactively to March 1, 2020, and until 60 days after the time the federal government declares the COVID-19 emergency (referred to as the "Outbreak Period") has ended.

[The guidance](#) states that the following actions that are required to be taken during the Outbreak Period are extended until after the Outbreak Period ends:

- Special health plan enrollment periods
- 60-day election period for COBRA continuation coverage

- Date for making COBRA continuation coverage premium payments
- Date for individuals to notify a health plan of a qualifying event or determination of disability
- Date that individuals can make a claim for benefits under the plan's claims procedures (essentially extending the runout period for reimbursement by health plans, health FSA or HRA plans until after the pandemic is over)
- Dates for appeal of denied benefit plans and external review of claims denials
- Date a group health plan sponsor or administrator has to provide a COBRA election notice

[The guidance](#) provides a number of helpful examples with hypothetical dates illustrating how this relief will operate. [FAQs](#) related to the guidance offer additional insights.

Unfortunately, this guidance does not allow cafeteria plan salary reduction elections to be changed or revoked, and does not increase the FSA carryover amount – two issues regarding which the IRS and Treasury Department continue to receive requests for guidance.

We will provide further information as it becomes available.

*Chard Snyder provides*

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