

# New DOL & IRS COVID-19 Relief

## Extended Timeframes for COBRA and ERISA Benefit Plans

The Department of Labor (DOL) and Department of the Treasury announced the extension of certain timeframes under the Employee Retirement Income Security Act (ERISA) and the Internal Revenue Code for group health plans and participants and beneficiaries of these plans during the COVID-19 National Emergency.

As a result of the National Emergency, participants and beneficiaries covered by group health plans may encounter problems in exercising their health coverage portability and continuation of coverage rights, or in filing or perfecting their benefit claims.

In order to provide relief, the two agencies published a joint notice on May 4, 2020, establishing an “Outbreak Period” beginning March 1, 2020, and ending 60 days after the declared COVID-19 National Emergency has ended.

This Outbreak Period stops the clock on several deadlines related to eligibility, premium payments, claims, and appeals under COBRA and ERISA employee benefit plans. The DOL also issued EBSA Disaster Relieve Notice 2020-1 (DOL Relief Notice), which provides relief for plan administrators by extending the deadlines to provide certain notices and plan disclosures.

For Aetna group health plans that are subject to existing COBRA and ERISA requirements, the Outbreak Period will be excluded when calculating the following periods and deadlines:

*(Note: Due to the complexity of systems for claims and appeals, messaging will not be added to plan documents such as Explanation of Benefits, Denial letters, or Appeal letters.)*

### COBRA

Employees have additional time to: 1. Elect COBRA continuation coverage; 2. Notify the plan regarding a COBRA qualifying event or determination of disability; and 3. Submit the initial and subsequent premium payments due.

We will disregard the period from 3/1/20 until 60 days after the announced end of the national emergency (the Outbreak Period) in determining the timeliness of your election, notice or payment.

### Claim and Appeals Timely Filing

In accordance with the Department of Labor’s recent COVID-19 extension requirements, we will disregard the period from 3/1/20 until 60 days after the announced end of the national emergency (the Outbreak Period) in determining the timeliness of your claim, appeal or external review request. You may still submit claims and appeals within the normal timeframes if you are able to do so.

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