

Department of Labor Temporarily Extends COBRA Deadlines Due to COVID-19 National Emergency

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The Department of Labor (DOL) has released a [new rule](#) that temporarily extends COBRA deadlines due to the National Emergency as a result of COVID-19.

BRSi will be following these new guidelines closely as our staff handles COBRA administration for a majority of our clients that are required to offer COBRA continuation coverage. Please read below for more information regarding the new, temporary deadlines and how BRSi will be handling these requirements.

National Emergency & the “Outbreak Period”

On March 13, 2020, President Trump declared a [National Emergency](#) in response to the COVID-19 pandemic. The National Emergency proclamation defines the COVID-19 “Outbreak Period” as beginning on March 1, 2020.

The new rule issued by the DOL disregards the period from March 1, 2020 until the end of the National Emergency for purposes of calculating COBRA deadlines. Currently, **an official end date of the National Emergency has not been decided.**

Once an end date is determined, there will be a mandatory **60 day** administrative period in place. This will effectively add an **additional 60 days** to all COBRA deadlines.

Temporary Expansion of COBRA Deadlines

COBRA administration (beginning on March 1, 2020) must adhere to the following, temporary deadline extensions:

COBRA ELECTION PERIOD

- 60 days after the end date of the National Emergency + an additional 60 days

COBRA SPECIAL ENROLLMENT

- 60 days after the end date of the National Emergency + an additional 30 days (or 60 days, if applicable)

COBRA PREMIUM PAYMENTS

- 60 days after the end date of the National Emergency + and additional 45 day grace period after initial election (or an additional 30 day grace period for any subsequent payments)*

**Plans may terminate coverage for any COBRA participant that fails to make premium payments and may retroactively reinstate coverage if payments are made within this extended grace period*

NOTIFYING PLAN OF QUALIFYING EVENT OR DISABILITY

- 60 days after the end date of the National Emergency + an additional 60 days

FILING BENEFIT CLAIMS, APPEALS, & REQUESTS FOR EXTERNAL REVIEW

- 60 days after the end of the National Emergency + any additional days determined based on the reason for request

PLEASE NOTE: If BRSi is currently administering your COBRA, these extended deadlines **do not require any action** on your part. BRSi will be taking all of the necessary steps to ensure compliance with these new deadlines.

BRSi does not anticipate many individuals taking advantage of these extended deadlines. But employers should be aware of these new rules if we process a new COBRA enrollee or reinstate a (previously covered) COBRA enrollee within the revised extended periods.

BRSi Modifying COBRA Administration to Adhere to Extended Deadlines

BRSi has updated its COBRA administration practices as follows to adhere to the new deadlines:

- All required COBRA Notices have been updated to reflect the extended deadlines.
- All Qualified Beneficiaries (any plan participant that lost coverage and qualifies for COBRA continuation coverage) who lost coverage **on or after March 1, 2020** will be mailed a separate notice that notifies them of the extended deadlines.

If you have any additional questions or concerns, please contact me at adillingham@benefitreview.com

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