



On Friday, February 26, the DOL released updated guidance on how to handle the one-year statutory limit that was set to take place on February 28, 2021, with regards to the COVID-19 extensions issued last year for the following deadlines:

- Deadline to elect COBRA;
- Deadline to pay COBRA premiums;
- Deadline to elect HIPAA special enrollment;
- Deadlines to file claims, appeals, and requests for external review;
- Deadline for plan to provide COBRA election notice.

Noting that the Outbreak Period remains ongoing, the updated guidance provides that the deadline extensions will continue past February 28, and that all such extensions are to be measured on a person-by-person basis that ends as of the earlier of:

1. One year from the date the deadline would have occurred on or after March 1, 2020 (absent the previous extension guidance); or
2. 60 days from the announced end of the ongoing National Emergency (the end of the Outbreak Period).

For example, if a qualified beneficiary would have originally been required to make a COBRA election to continue health coverage by March 1, 2020, that person now technically will need to have made the election by March 1, 2021. If an individual were to have made an election or COBRA payment by a later date, such as May 1, 2020, but not for the previous extension guidance, started prior to the effective date of the original extension guidance, their new deadline to elect or pay would be May 1, 2021.

The same deadlines will apply to future dates as well. So, if an individual were more recently terminated or is to be terminated in the future, for example, and the ordinary date in which their COBRA payment or election deadline has yet to occur, they will still have the ability to defer their election or payment until the earlier of the 60-day timeframe from the announced end of the National Emergency, or one year from the date the deadline would normally occur.

isolved Benefit Services will continue to roll deadline dates forward for participants last date to elect until one year from the date the deadline would have occurred, or until the end of the Outbreak Period. We are continuing our evaluation of all other follow up items and a communication with updates will be provided when more information is available.