

Health & Welfare Benefit Plan-Related Deadline Extensions

As set forth in DOL and Treasury Joint Notice Issued April 28, 2020 and IRS Notice 2020-23

For Participants and Beneficiaries

Event/Action	Ordinary Deadline	Extended Deadline ¹
HIPAA Special Enrollment in a group health plan	Participant must request enrollment within 30 days of birth, adoption, placement for adoption, marriage, or loss of other coverage (or within 60 days of the occurrence of the events added by the Children's Health Insurance Program Reauthorization Act of 2009 (CHIP))	30 days (or in the case of CHIP, 60 days) after the Outbreak Period
Electing COBRA continuation coverage under a group health plan	Participant or Qualified Beneficiary must make election within 60 days following the date on which coverage terminates due to a COBRA qualifying event	60 days after the Outbreak Period
Beginning COBRA premium payments or making ongoing, monthly COBRA premium payments	The initial COBRA premium payment may not be required until at least 45 days after the date of the Participant's or Qualified Beneficiary's COBRA election. Ongoing, monthly payments are due 30 days after the first day of the period for which payment is being made.	30 days after the Outbreak Period <i>Note:</i> Premium payments for any months not paid during the Outbreak Period are due in full by the deadline. COBRA continuation coverage can be retroactive to the first day of the Outbreak Period (<i>i.e.</i> , March 1, 2020).
Notifying the Plan of a COBRA qualifying event or determination of disability	Participant or Qualified Beneficiary must notify the Plan Administrator within 60 days after the qualifying event or determination of disability	60 days after the Outbreak Period

Filing a claim for benefits under a plan's claims procedure	Participant must file a claim for benefits by the deadline under the terms of the plan document (<i>e.g.</i> , 12 months following the date of the medical treatment or service)	The required plan deadline, tolled until the end of the Outbreak Period (<i>e.g.</i> , 12 months following the Outbreak Period)
Appealing an adverse benefit determination under a group health plan or disability plan	Plan must permit at least 180 days following Participant's or Beneficiary's receipt of the adverse benefit determination	The required plan deadline tolled until the end of the Outbreak Period
Filing a request for federal external review after receipt of an adverse benefit determination or final internal adverse benefit determination	Plan must permit at least 4 months following receipt of the adverse benefit determination	The required plan deadline tolled until the end of the Outbreak Period
Filing a request to perfect a request for external review upon a finding that the request was not complete	Within the 4-month external review request period described above or within 48 hours following receipt of notice that the request was not complete, whichever is later	The required plan deadline tolled until the end of the Outbreak Period
Contributing to an HSA or Archer MSA for 2019	April 15, 2020	July 15, 2020
Completing an indirect rollover to another HSA or Archer MSA for 2019	Within a 60-day timeframe	July 15, 2020

¹ The chart assumes the triggering event occurs during the Outbreak Period. If, however, the triggering event occurs shortly before the Outbreak Period, the extended deadline would be shortened. For example, if a participant in a group health plan got married on February 9, 2020, the extended deadline for special enrollment of the participant's spouse would be 10 days after the Outbreak Period, not 30 days.

For Group Health Plans, Plan Sponsors, and Plan Administrators

Event/Action	Ordinary Deadline	Extended Deadline
<p>Providing COBRA Election Notice</p>	<p>The Plan Administrator has 14 days after receiving notification of qualifying event.</p> <p><i>Note:</i> The Employer has 30 days to notify the Plan Administrator of a qualifying event; therefore, if the Employer is also the Plan Administrator, the deadline is 44 days after the qualifying event.</p>	<p>14 or 44 days after the Outbreak Period</p> <p><i>Note:</i> We recommend that Plan Administrators make every effort to continue to provide COBRA Election Notices under the ordinary deadlines to support timely elections and payment for COBRA coverage.</p>
<p>Filing Form 5500 (Annual Return)</p>	<p>The last day of the seventh month following the end of the Plan Year (<i>e.g.</i>, July 31 for calendar year plans)</p>	<p>Filings otherwise due on or after April 1 and before July 15, 2020, are now due July 15, 2020.</p> <p><i>Note:</i> This extension does not provide relief for calendar year plans, but such plans may still seek an ordinary extension (to October 15) using Form 5558.</p>
<p>Filing Form M-1 (Annual Return for Multiple Employer Welfare Arrangements)</p>	<p>March 1, with an automatic 60-day extension available if timely requested.</p>	<p>Filings otherwise due on or after April 1 and before July 15, 2020, are now due July 15, 2020. Thus, timely extended 2019 Form M-1 annual filings are now due July 15, 2020.</p>

Please contact a member of our **Employee Benefits & Executive Compensation Group** if you have any questions regarding the extended deadlines.