

## IMPORTANT UPDATE: COVID-19 EXTENSIONS IMPACTING FEDERAL COBRA

Certain information communicated to you regarding your federal COBRA ("COBRA") rights may, once again, be affected by temporary changes recently enacted by the United States Departments of Labor and Treasury (the "Departments") in response to the ongoing COVID-19 national emergency. The recent changes relate to various COBRA deadlines that were previously extended in 2020 in response to the pandemic and do not apply to state continuation of coverage. The Departments have now clarified that COBRA deadlines that would normally apply to an individual on or after March 1, 2020, will be extended for a period of one year from the original deadline. However, the one-year extension period will be shortened if the government announces the end of the national emergency. In such case, the extension period applicable to the individual will end 60 days after the end of the national emergency. Once the deadline extension relief ends, the paused deadlines will resume. These recent changes apply on a case-by-case basis and are explained in more detail below. The notices required by COBRA contain standard deadlines that do not reflect the temporary rules that are described in this document. If you have questions about the deadlines that apply to you or specific extended deadline dates, please contact our team at (888) 722-8382.

Note: The extensions of COBRA deadlines discussed in this update **do not** apply to the COBRA subsidy deadlines under the American Rescue Plan Act ("ARP").

1. COBRA Election Period – Normally, you must elect COBRA within 60 days after the Election Notice is mailed to you. However, the recent changes described above provide you with additional time to respond. For example: If you experienced a qualifying event last year and your deadline for making an election would have been October 1, 2020, your new deadline for electing COBRA will be extended until October 1, 2021 (one year later). However, if the national emergency ends on July 1, 2021, you will only have 60 days from that date (which would be August 30, 2021) to make an election. If you take advantage of the applicable extension and elect COBRA, your COBRA coverage will be retroactive to the date you lost plan coverage. You will also be required to pay in full all monthly premiums owed for such coverage.
2. Notice of Qualifying Event or Disability Extension – Normally, you must notify the plan within 60 days of certain COBRA qualifying events, second qualifying events (*divorce or legal separation, a dependent child ceasing to be a dependent, death or Medicare entitlement*), or if you are deemed disabled by the Social Security Administration and potentially eligible for a disability extension. However, the recent changes described above provide you with additional time to notify the plan of your situation. For example: If there is a second qualifying event of divorce and the deadline for notifying the plan would have been September 1, 2020, the deadline will be extended until September 1, 2021 (one year later). However, if the national emergency ends on July 1, 2021, you will only have 60 days from that date (which would be August 30, 2021) to notify the plan of the second qualifying event.
3. COBRA Premium Payments – Normally, if you elect COBRA, you are required to make premium payments for such coverage by certain dates. However, the standard deadlines for making COBRA premium payments otherwise due on or after March 1, 2020, are suspended. Although you will receive a termination of coverage notice if you do not make payments within the standard deadlines, your coverage will be retroactively reinstated if you resume payments within the new deadlines provided. For example: If you fail to make a premium payment that is due by July 1, 2021, your payment deadline will be extended until July 1, 2022 (one year later). However, if the national emergency ends on August 1, 2021, your payment deadline is only extended until the date that is 60 days after August 1, 2021, which would be September 30, 2021. At that point, your paused payment must resume, and your July premium would be due no later than 30 days after the September 30, 2021 due date (which would be October 30, 2021). If you take advantage of the applicable extension and make payment by the new deadline, your coverage will be retroactively reinstated. You will also be required to pay in full all monthly premiums owed for such coverage.

If possible, we encourage you to make timely elections, provide timely notices and make timely payments. This will help to ensure coverage, prevent delays in claims processing by the insurance carrier, and avoid any potential hardship for you if multiple payments become due at one time in the future. If you receive a notice of the termination of plan coverage and have questions about your rights, the amount of premium due or the reinstatement of your COBRA coverage, please contact our team.



**ProBenefits**  
The benefit of trust.

2634 Reynolda Road  
Winston-Salem, NC 27106-3817  
ProBenefits.com

**e.** [COBRA@ProBenefits.com](mailto:COBRA@ProBenefits.com)  
**p.** 336.761.1850  
888.722.8382