**IMPORTANT NOTICE:**

**NEW PERIODS TO MAKE ELECTIONS FOR BENEFITS OR COVERAGE**

Due to the Covered Disasters of Hurricane Helene (and Tropical Storm Helene) and Hurricane Milton, the Labor Department and IRS released guidance which requires all welfare benefit plans subject to Employee Retirement Income Security Act (ERISA) or the Internal Revenue Code (Code) to disregard all dates within a defined Relief Period from counting toward the following deadlines:

* The 30-day period (or 60-day period, if applicable) to request HIPAA’s special enrollment for employee, spouse or child during a plan or policy years
* The 60-day election period to elect COBRA continuation coverage
* The date for making COBRA premium payments
* The date for individuals to notify the plan of a COBRA qualifying event or determination of disability for requesting a COBRA extension
* The date within which individuals may file a benefit claim under the plan's claims procedure
* The date within which claimants may file an appeal of an adverse benefit determination under the plan's claims procedure
* The date within which claimants may file a request for an external review after receipt of a final internal adverse benefit determination
* The date within which a claimant may file information to perfect a request for external review upon a finding that the request was not complete pursuant to applicable appeal rules

Individuals who lived, resided or worked in a Covered Disaster Area eligible for Individual Assistance by the Federal Emergency Management Agency (FEMA) are protected by this disaster relief as follows:

|  |  |
| --- | --- |
| **Covered Disaster Area** | **Relief Period** |
| Helene covered disaster areas in [FL](https://www.fema.gov/disaster/4828/designated-areas#individual-assistance) | 09/23/24 through 05/01/25 |
| Helene covered disaster areas in [GA](https://www.fema.gov/disaster/4830/designated-areas#individual-assistance) | 09/24/24 through 05/01/25 |
| Helene covered disaster areas in [SC](https://www.fema.gov/disaster/4829/designated-areas#individual-assistance), [NC](https://www.fema.gov/disaster/4827/designated-areas#individual-assistance), and [VA](https://www.fema.gov/disaster/4831/designated-areas#individual-assistance) | 09/25/24 through 05/01/25 |
| Helene covered disaster areas in [TN](https://www.fema.gov/disaster/4832/designated-areas#individual-assistance) | 09/26/24 through 05/01/25 |
| Milton covered disaster areas in [FL](https://www.fema.gov/disaster/4834/designated-areas#individual-assistance) not already included in the Helene FL disaster areas above | 10/05/24 through 05/01/25 |

Examples are provided below under the assumption that (a). the individual lived, resided, or worked in a Covered Disaster Area during Helene or Milton and (b). federal agencies do not extend the Relief Period.

1. Employee had a new baby on 10/01/24. Per the terms of the health plan, the employee typically must enroll the child within 30 days of the date of birth, which is 10/31/24. Under this disaster relief, all dates from the birth on 10/01/24 through 05/01/25 are disregarded. The employee has 30 days starting 05/02/25 to elect coverage for the baby, giving them until 05/31/25 to enroll in coverage.
2. Participant experienced a qualifying event and received a COBRA election notice on 12/01/24.  The qualified beneficiary now has until 06/30/25 to elect retroactive COBRA coverage.
3. Participant has elected but not paid COBRA premiums. The COBRA start date was 11/01/24, and they elected COBRA as of 03/15/25. The initial 45-day COBRA premium payment timeline would start 05/02/25, and the last day to pay premiums would by 06/15/25.
4. Participant had a COBRA start date of 11/01/24. They elected and paid for COBRA but then terminated coverage as of 12/31/24. The 30-day grace period for the January 2025 COBRA premium hasn't begun due to the paused timelines, but will continue as of 05/02/25. Thus, the participant’s last day to pay premiums, or bring account current, would be 05/31/25.

The delay created by the Relief Period only applies if deadline for making an election, giving a notice, or making a claim did not expire before the start of the individual’s respective Relief Period.

**What this means to Employees, Former Employees and Beneficiaries:**

Beginning with the respective relief dates described above, if an impacted employee, former employee, or beneficiary failed to elect COBRA coverage, pay a COBRA premium, exercise a HIPAA special enrollment right, or file a claim or appeal, that individual has an extended period of time to file or to make an election. All dates falling within the Relief Periods identified above will not count toward the deadlines identified.

To make a new election for coverage or benefits, give notice or make a claim for benefits, please contact: