

**DIVISION 1181 A.T.U. – NEW YORK WELFARE FUND**  
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**INFORMATION REGARDING EXTENSION  
OF DEADLINES DUE TO COVID-19**

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**IMPORTANT ANNOUNCEMENT ABOUT YOUR HEALTH BENEFITS**

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Effective March 1, 2020, in response to the COVID-19 pandemic, the Department of Labor extended the deadlines for:

- The date participants may file a benefit claim or appeal the denial of a benefit claim;
- The 30-day period (60-day period in certain circumstances) to request enrollment in the Plan due to a HIPAA special enrollment event);
- The 60-day period to elect COBRA continuation coverage;
- The 30-day grace period to pay COBRA premiums;
- The 45-day period to pay the first COBRA premium after electing COBRA; and
- The date for participants to notify the Plan of a COBRA qualifying event, such as a birth or adoption of a child, marriage, or determination of disability for the purposes of the COBRA disability extension.

This extension, called the Outbreak Period, began on March 1, 2020. Under the current guidance, the tolling period on your deadline to take any of the above actions would end on the earlier of: (1) one year from the date of the initial deadline for the action above, absent the extension; or (2) when the Outbreak Period ends (i.e., 60 days after the National Emergency ends).

**This is to advise you that the National Emergency ended on April 10, 2023. Therefore, the Outbreak Period ends as of June 9, 2023 and the above deadlines will begin to run again as of June 9, 2023.**

The following examples explain how the ending of the Outbreak Period will affect these deadlines:

Example: Appeal Deadline

Your claim for a medical procedure was denied September 1, 2022. Typically, you would have 180 days under the Plan document to file your appeal of that denial. Therefore, your appeal would have been due by February 27, 2023.

However, due to the Outbreak Period, the Plan's 180-day deadline to file an appeal will now start to run on June 9, 2023. You will therefore have until December 9, 2023 (i.e., 180 days from June 9, 2023) to file your appeal. If your appeal is not filed by this deadline, the Fund's decision on your claim is final.

### Example: COBRA Election

You terminated covered employment and your health coverage ended on September 1, 2022. Typically, you would have had until October 30, 2022 to elect to continue your coverage under COBRA (i.e., 60 days after your coverage terminated).

Due to the Outbreak Period, you now have until August 8, 2023 (i.e., 60 days from June 9, 2023) to elect to continue your coverage under COBRA. Therefore, if you want to elect COBRA coverage, you must return your COBRA election form by August 8, 2023.

### Example: COBRA Premium Payments

You elected COBRA coverage on September 15, 2022 retroactive to August 1, 2022. You timely paid your COBRA premiums for August, September and October 2022 but have not made any payments for November 2022 to June, 2023. Typically, premiums were due on the 1<sup>st</sup> of the month and you had 30 days to pay, so your eligibility for COBRA coverage would have ended on November 30, 2022 if your premium payment for November 2022 was not received by that date.

Due to the Outbreak Period, your ability to pay for COBRA coverage for November 2022 through June 2023 will end on July 9, 2023 (i.e., 30 days from June 9, 2023). If you make your premium payment by July 9, 2023, the Fund will reinstate your coverage and pay any claims incurred between November 1, 2022 through June 30, 2023. If you do not make these payments by July 9, 2023, your eligibility for COBRA coverage will terminate.

**Remember, the Fund will not pay any claims until you have elected COBRA and paid all of your retroactive COBRA premiums back to your initial date of termination.**

If you have questions about how these extensions will apply to you or your dependents, please contact the Fund Office.