

Important Change to Deadline Extensions for Special Enrollment, Claims and Appeals, and COBRA

Last year, certain deadlines under the *I.A.T.S.E. Local No. One Pension, Welfare, and Annuity Funds* (“Funds”) were extended by law due to the COVID-19 pandemic. This means that your time period to elect and pay for COBRA, notify the Fund of a COBRA qualifying event, exercise a special enrollment right, or file a claim or appeal is extended during the COVID-19 “outbreak period.” The “outbreak period” started on March 1, 2020 and will end 60 days after the end of the COVID-19 National Emergency, which is ongoing (the emergency may end on different dates for different parts of the country).

The Federal government has recently clarified that this tolling relief cannot extend beyond the earlier of: (i) one year, or (ii) the end of the outbreak period. In no event will the period of time that is disregarded be longer than one year.

Here are some examples of how the clarified rule works:

Example: If you gave birth to a new child in January 2020 and your normal 60-day deadline for enrolling the child in the Welfare Fund would have been March 20, 2020, under the clarified rule, you will have until March 20, 2021 to enroll your new child because although the outbreak period has not ended, providing a further extension would exceed the one-year maximum. However, please see “*Important Note for Deadlines that End in March 2021*” below, which explains that the Welfare Fund Trustees have established a 30-day grace period for participants who would be obligated to take some action in March 2021 as a result of the rule clarification.

Example: If you lost coverage under the Welfare Fund on June 30, 2020, your normal 60-day deadline for electing COBRA coverage to commence July 1, 2020 (which would have been August 29, 2020), is extended to August 29, 2021, unless your 60-day election period (counted from the announced end of the outbreak period) expires before August 29, 2021.

Important Note for Deadlines that End in March 2021: The Funds will allow a 30-day grace period for all applicable deadlines expiring in the month of March 2021 due to the one-year maximum extension period. As an example, if you were required to make a COBRA election or take other action by March 1, 2020 and your deadline was extended until March 1, 2021, the Funds will allow you an additional 30 days to make your election (i.e., until March 31, 2021).

This extension applies **only** to the following deadlines under the Funds:

- The deadline to request special enrollment in the Welfare Fund after losing other health coverage or acquiring a new dependent due to birth, marriage, adoption or placement for adoption
- The deadline to file a benefit claim or appeal a denied claim (or other adverse benefit determination) under the Funds, and the period for requesting external review or perfecting a request for external review of a Welfare Fund claim
- The deadline to elect COBRA coverage and the deadline to notify the Fund Office of a COBRA qualifying event or disability determination
- The deadline to pay initial and monthly COBRA premiums

All other deadlines under the Funds remain unchanged.

Please refer to the Summary Plan Descriptions (available on www.fundoneiatse.com) for additional details regarding the various Fund deadlines, and feel free to contact the Fund Office at (212) 247-5225 or by email at FundOffice@FundOneIATSE.com if you have any questions regarding how these rules may apply to you.