

Important Update

New COBRA Deadlines for Participants in Disaster-Affected Areas Hurricane Helene, Tropical Storm Helene, and Hurricane Milton

The U.S. Department of Labor has extended certain COBRA deadlines for individuals affected by Hurricane Helene and Hurricane Milton. This relief applies to participants and beneficiaries in areas designated for individual assistance by FEMA.

The extensions include:

- **COBRA Election Period:** Typically, individuals have 60 days to elect COBRA continuation coverage after receiving an election notice. Under this relief, the 60-day election period is extended by disregarding the period from the disaster's occurrence until 60 days after the announcement of the relief. This provides additional time for affected individuals to make their COBRA election decisions.
- **Premium Payments:** Ordinarily, initial COBRA premium payments are due within 45 days after the election, and subsequent payments are due on a monthly basis with a 30-day grace period. The relief extends these deadlines by disregarding the period from the disaster's occurrence until 60 days after the announcement of the relief, allowing more time for affected individuals to make timely payments.
- **Notification of Qualifying Events or Disability Determinations:** Plans usually require notification of qualifying events (e.g., divorce, legal separation, or a dependent child's loss of eligibility) within 60 days. Similarly, notification of a disability determination must be provided within a specified timeframe. Relief extends these deadlines by disregarding the period from the disaster's occurrence until 60 days after the announcement of the relief, giving affected individuals additional time to notify their plans.

These extensions aim to provide relief to individuals facing challenges due to the specified disasters, ensuring they maintain access to health coverage during recovery. For detailed information, refer to the Department of Labor's "[FAQs for Participants and Beneficiaries Impacted by Hurricane Helene or Hurricane Milton](#)."

If you have specific questions or need assistance, contact the Employee Benefits Security Administration at [askebsa.dol.gov](https://www.askebsa.dol.gov) or call 1-866-444-3272.

Additional Links:

FAQ: "[FAQs for Participants and Beneficiaries Impacted by Hurricane Helene or Hurricane Milton](#)."

EBSA Disaster Relief Notice 2024-01 - <https://www.dol.gov/sites/dolgov/files/EBSA/employers-and-advisers/plan-administration-and-compliance/disaster-relief/disaster-relief-notice202401.pdf>

FEMA - <https://www.fema.gov/disaster/current>

Examples on how to calculate new COBRA Deadlines can be found on the next page.



Calculating COBRA Extension Deadline Examples

Example 1: COBRA Election Period

- **Disaster Date:** September 1, 2024.
- **Relief Announcement Date:** October 1, 2024.
- **Standard Deadline:** COBRA notice received on September 5, 2024, and election period ends 60 days later, on November 4, 2024.
- **Extended Deadline:**
 - Relief Period: September 1, 2024, to 60 days after October 1, 2024 (December 1, 2024).
 - New Deadline: Add the relief period to the original deadline, making the new election deadline February 1, 2025.

Example 2: Initial Premium Payment

- **COBRA Election Date:** October 15, 2024.
- **Standard Deadline:** Premium due within 45 days, by November 29, 2024.
- **Extended Deadline:**
 - **Relief Period:** September 1, 2024, to December 1, 2024.
 - **New Deadline:** Add the relief period, making the new premium payment deadline March 15, 2025.

Example 3: Notification of a Qualifying Event

- **Qualifying Event:** Divorce on September 20, 2024.
- **Standard Deadline:** Notify the plan administrator within 60 days, by November 19, 2024.
- **Extended Deadline:**
 - **Relief Period:** September 1, 2024, to December 1, 2024.
 - **New Deadline:** Add the relief period, making the notification deadline February 28, 2025.

Disclaimer:

The example deadlines provided are for illustrative purposes only and are based on general guidance from the Department of Labor regarding COBRA deadline extensions for disaster relief. Actual deadlines may vary depending on individual circumstances, specific disaster declarations, and the date of the relief announcement. Employers, plan administrators, and participants should consult with their legal counsel, COBRA administrator, or the Department of Labor for advice tailored to their situation.

