

COBRA Extended Timeline

[Disaster Notice 2020-01](#), along with [Extension of Certain Timeframes for Employee Benefit Plans, Participants, and Beneficiaries Affected by the COVID-19 Outbreak](#), tolled certain deadlines up to one (1) year as a result of the COVID-19 pandemic. Included among these deadlines are COBRA's 60-day election period, COBRA's 45-day grace period for initial payment, and COBRA's 30-day grace period for payments after the initial payment.

On 1 March 2021 (the day many suspected would end the tolling period), Federal agencies issued [Disaster Notice 2021-01](#), which instead clarified that individuals and plans with timeframes subject to the tolling period are to be disregarded until the earlier of:

1. One (1) year from the date the individual was first eligible for relief; or,
2. Sixty (60) days after the announced end of the National Emergency (the end of the Outbreak Period).

As of the date of this notice the National Emergency remains ongoing, **but in no case will COBRA deadlines be extended for more than one (1) year past the original due date.** Under current guidance, after the expiration of the extended deadlines normal deadlines and grace periods will apply, and reinstatement of coverage for periods with unpaid premiums may not be possible.

By way of examples, if a qualified beneficiary would normally be required to make a COBRA election by 1 March 2020, they now have until 28 February 2021 (i.e., one year from 1 March 2020). If a qualified they now have until 1 March 2022.

If you have unpaid premium payments that would normally have been due during the tolling period,

the end of the grace period for those premium payments will be thirty (30) days after the earlier of:

1. one (1) year after the premium due date; or,
2. Sixty (60) days after the announced end of the National Emergency (the end of the Outbreak Period).

If you owed premiums prior to 1 March 2020, you may have a grace period of less than thirty (30) days.

If you have not paid your initial COBRA premium, the deadline for making the payment will be forty-five (45) days after the earlier of:

1. one (1) year after the date you elected COBRA; or,
2. Sixty (60) days after the announced end of the National Emergency (the end of the Outbreak Period).

If you elected COBRA prior to 1 March 2020, you may have a grace period of less than forty-five (45) days.

COBRA Extended Timeline Continued

If you experienced a COBRA qualifying event and you have not yet elected COBRA, the COBRA election deadline will end sixty (60) days after the earlier of:

1. one (1) year after your coverage terminated; or,
2. Sixty (60) days after the announced end of the National Emergency (the end of the Outbreak Period).

If your election period began before 1 March 2020, you may have less than sixty (60) days to elect COBRA.

If you experienced an event that requires you to notify your Plan of the event (such as divorce, legal separation, a child turning 26, or a determination of disability or the end of disability) you must notify the plan within sixty (60) days (thirty (30) days to notify of the end of disability) after the earlier of:

1. one (1) year after the event; or,
2. Sixty (60) days after the announced end of the National Emergency (the end of the Outbreak Period).

If the event occurred before 1 March 2020, you may have less than sixty (60) days.

As stated in [Disaster Notice 2020-01](#), you may have the opportunity to obtain coverage through the Health Insurance Marketplace in their state. In this regard, in accordance with the President's Executive Order 14009, a special enrollment period is available to the consumers in the 36 states that use the [HealthCare.gov](#) platform starting on February 15 and continuing through May 15. At least 13 states plus the District of Columbia, which operate their own Marketplace platforms, are offering a similar opportunity. [86 FR 7793 (February 2, 2021)]. For more information on the Health Insurance MarketPlace special enrollment period, go to [HealthCare.gov](#). For a list of states that do not use [HealthCare.gov](#) and links to their MarketPlaces, go to: <https://www.healthcare.gov/marketplace-in-your-state/>.