

LEGAL UPDATE

DOL Issues Model Notices, FAQs for COBRA Subsidy in the ARPA

On April 7, 2021, the U.S. Department of Labor (DOL) issued [FAQs](#) and [model notices](#) for the COBRA premium assistance provisions of the [American Rescue Plan Act](#) (ARPA). The ARPA provides a 100% subsidy for employer-sponsored group health insurance continued under COBRA and similar state continuation of coverage programs for eligible individuals. The subsidy applies from April 1 through Sept. 30, 2021. The notices and the FAQs appear on a new DOL [webpage](#) dedicated to the ARPA COBRA subsidy.

Model Notices

The new model notices released by the DOL are the following:

- Model General Notice and COBRA Continuation Coverage Election Notice: [MS Word](#) | [PDF](#)
- Model Notice in Connection with Extended Election Period: [MS Word](#) | [PDF](#)
- Model Alternative Notice: [MS Word](#) | [PDF](#)
- Model Notice of Expiration of Premium Assistance: [MS Word](#) | [PDF](#)
- Summary of COBRA Premium Assistance Provisions under the American Rescue Plan Act of 2021 (to be provided with the General Notice): [MS Word](#) | [PDF](#)

FAQs

The DOL guidance contains 21 FAQs on topics such as eligibility, application procedure, notice requirements and duration of the subsidy. Notably, the FAQs state that prior federal COVID-19-related relief for plan deadlines does not apply to notices or election periods set forth in the ARPA provisions about the COBRA subsidy. However, an individual may elect COBRA from an earlier qualifying event if the individual is eligible to make that election, including under the extended time frames provided under that relief.

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Important Dates

March 11, 2021

ARPA signed into law.

April 1, 2021

ARPA subsidy for COBRA premiums began.

Sept. 30, 2021

ARPA subsidy for COBRA premiums expires.

Plans may use the DOL model notices to meet their notice obligations under the COBRA subsidy provisions of the ARPA.



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