

EBSA Disaster Relief Notice 2024-01

Here is some background on the benefit plan guidance provided by the government:

In late 2024 the Employee Benefits Security Administration (EBSA) and Treasury departments jointly issued a [rule](#) (referred to as the “Joint Notice”) extending certain compliance deadlines relating to employee benefit plans, participants, beneficiaries, qualified beneficiaries, and claimants impacted by Hurricane Helene (including Tropical Storm Helene) and Hurricane Milton. Additionally, EBSA released [EBSA Disaster Relief Notice 2024-01](#), which provides ERISA plans affected by the storms additional time to comply with certain notice and disclosure requirements. We are writing to share information and an action plan regarding both the Joint Notice and Disaster Relief Notice (together, “the Notices”).

Here are the highlights of the Notices as it relates to plans supported by Sentinel Group:

- The Notices extend the deadline for individuals to file a claim for benefits and request an appeal under Health FSAs and HRAs. Under the extension, the regular deadlines are paused until the end of the “Relief Period,” designated as May 1, 2025.
- The Notices also require certain ERISA employee benefit plans to extend the deadlines for COBRA-related actions, including: elections, premium payments, and Social Security disability determinations. Under the extension, the regular deadlines are paused until the end of the “Relief Period” designated as May 1, 2025.
- The relief applies to individuals in designated disaster areas in Florida, Georgia, North Carolina, South Carolina, Virginia, and Tennessee. Individuals who resided, lived, or worked in a designated disaster area at the time of the hurricane or tropical storm, or whose benefit coverage was under a plan directly affected by the disasters, are eligible for these extensions.
- The Relief Period ends on May 1, 2025, for all affected individuals. The Relief Period start date varies depending on the location of the individual and which disaster affected them. The start of the Relief Period aligns with the beginning of the “incident period” established by the Federal Emergency Management Agency (FEMA).

Here are some examples of how the extensions may help impacted individuals:

- FSA Claims Filing
 1. Plan year end: 12/31/2024
 2. Normal run out period end (90 days): 3/31/2025
 3. Relief Period End + 90 days: 7/30/2025
 4. Final Claim Filing Date for individuals who qualify for relief: 7/30/2025*

*Please note that the Notices do not extend your timeframe to incur an expense, but rather to submit an expense incurred during the coverage period.

- COBRA Payment
 1. COBRA premium due date: 11/01/2024
 2. “Normal” time period to pay: 30 days from 11/01/2024
 3. Special extended time to pay: 5/31/2025 (Relief Period ExtnEnd 5/1/2025) + 30 days
- COBRA Election
 1. COBRA Notice Date: 12/10/2024
 2. “Normal” time period for making election: 60 days from 12/10/2024
 3. Special extended time period to elect: 6/30/2025 (Relief Period ExtnEnd 5/1/2025 + 60 days)

Here is the action you can take if you believe that you qualify for relief:

- Use the [FEMA website](#) to confirm you resided, lived or worked in a designated disaster area at the time of the storm.
- For health claim requests, confirm both scenarios apply to you:
 1. You were enrolled in a Health FSA or HRA during the time of the disaster
 2. Your account has funds available
- For COBRA requests, confirm if either scenario applies to you:

1. Your election timeline occurred during the Relief Period
 2. You had a payment due during the Relief Period
- Complete Sentinel Group's request form linked [here](#) to indicate that you would like to take advantage of the relief
-