

# MASON TENDERS' DISTRICT COUNCIL TRUST FUNDS

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## IMPORTANT NOTICE REGARDING PLAN DEADLINES

(For COBRA Election, Payment and Notice of Qualifying Events, Special Enrollment, and Filing Claims and Appeals)

As we announced last year, the Mason Tenders' District Council Trust Funds (the "Funds") have extended certain plan deadlines due to the COVID-19 pandemic, in accordance with DOL and IRS guidance.

As a result, a period of time called the "outbreak period" is not counted when determining an individual's deadline to elect and pay for COBRA coverage in the Welfare Fund, notify the Welfare Fund of a COBRA qualifying event, exercise a special enrollment right in the Welfare Fund, or file a claim or appeal with any of the Funds (or request external review with the Welfare Fund). 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.

**In late February, the U.S. Department of Labor announced that the maximum period of time that will be disregarded when determining each individual's deadline will be *one year*.**

Here are some examples of how this works:

### COBRA Elections and Payments

Example 1: If you lost coverage in the Welfare Fund on December 31, 2019, elected COBRA coverage, and your normal 45-day deadline for paying the initial COBRA premium was April 1, 2020, you have until April 1, **2021** (*plus an additional 60-day grace period described below*) to make payment for coverage retroactive to January 1, 2020.

Example 2: If a dependent lost coverage in the Welfare Fund on April 30, 2020, elected COBRA coverage, and the normal 45-day deadline for paying the initial COBRA premium was July 1, 2020, the dependent has until July 1, **2021** to make payment for coverage retroactive to May 1, 2020.

Example 3: If you lost coverage in the Welfare Fund on December 31, 2020 and your normal 60-day deadline for electing COBRA coverage was March 1, 2021, you will have until March 1, **2022** to make your election for coverage retroactive to January 1, 2021, unless your 60-day election period (counted from the end of the outbreak period) expires before March 1, 2022.

***Deadlines that End in March and April 2021:*** The Funds will allow a 60-day day grace period for deadlines that expire in the months of March and April 2021 due to the one-year maximum tolling period. As an example, if you were required to make a COBRA election or take other action by March 10, 2020 and your deadline was extended/tolled until March 10, 2021, the Fund will allow you an additional 60 days to make your election (i.e., until May 9, 2021).

***Important Note Regarding Federal COBRA Subsidy:*** There is a new federal law (the American Rescue Plan Act of 2021) that includes a 100% COBRA premium subsidy for a period of up to six months starting April 1, 2021, for eligible individuals who lost coverage due to a reduction in hours or involuntary termination of employment. If you qualify, you will have the option to elect subsidized COBRA coverage prospectively without having to pay retroactive premiums. The Fund will send a notice with more information regarding the subsidy and its eligibility requirements.

#### Special Enrollment and Claims/Appeals Deadlines

Example 4: If you have a new child and the usual 30-day deadline for you to enroll that child in the Welfare Fund was June 15, 2020, you will have until June 15, **2021** to enroll the child (with coverage retroactive to birth).

Example 5: If you have a claim for benefits that is denied under any of the Funds and the usual deadline for you to submit an appeal was September 1, 2020, you will have until September 1, **2021** to submit the appeal, unless the appeal period (counted from the end of the outbreak period) expires before September 1, 2021.

Please contact the Eligibility Department at the Mason Tenders' District Council Trust Funds at 212-452-9700 if you have any questions.