

## COVID 19 deadline extensions

On May 4<sup>th</sup>, the U.S. Department of Labor (DOL) and the Internal Revenue Service (IRS) published new guidance that requires extensions on certain claim and appeal filing deadlines in order to allow additional time to make critical health coverage and other decisions affecting benefits during the COVID-19 pandemic. These extensions allow members additional time for filing of manual / paper claims and exercising their rights to appeal benefit and utilization review determinations.

The following documents were issued:

1. Final Rule titled, "Extension of Certain Timeframes for Employee Benefit Plans, Participants, and Beneficiaries Affected by the COVID-19 Outbreak", which was issued jointly with the Internal Revenue Service and **requires all benefit plans subject to ERISA or the Internal Revenue Code (the Code) to disregard claimant claim and appeal filing deadlines under existing ERISA and Internal Revenue regulation** for the duration of the "Outbreak Period" as described below.
2. Department of Labor "Disaster Relief Notice 2020-01", extending the time for ERISA plans to furnish certain benefit statements, notices and other disclosures.

## Effective Date and Timing

The waivers of timeframes will be in place during the "Outbreak Period." This timing is defined as:

- Beginning on March 1, 2020 and ending 60 days after the end of the COVID-19 national emergency, which has been scheduled for July 24, 2020
- The Rule also allows this timeframe to be ended on different dates in different parts of the country, in which case additional guidance will be provided.

## UHC and OptumRx's Compliance Plan with New Guidance

The following areas and deadlines are in scope for the DOL guidance when administered by OptumRx.

### ***Claims Filing Deadline:***

The timeframe which members may file a benefit claim under the plan's claims procedure must be waived during the COVID-19 outbreak period.

**OptumRx Strategy:** OptumRx Direct Member Reimbursement (DMR) team will waive filing deadlines for member-submitted manual claims during the Outbreak Period. Additionally, reporting back to the March 1<sup>st</sup> effective date is being analyzed as to whether any prior claims filed that did not meet timely filing deadlines will need to be adjusted.

### ***Appeals Filing Deadline:***

The timeframe which members may file an appeal of an adverse benefit determination/denial must be waived during the COVID-19 outbreak period.

The timeframe which members may file a request for an external review after receipt of an adverse benefit determination or final internal adverse benefit determination is waived.

**UHC/OptumRx Strategy:** UHC/OptumRx is working to extend the standard appeal timeframes in the Prior Authorization System to comply with the guidance. This system change is projected to take approximately two weeks to complete. Once completed, all new appeal requests will allow for the extended timeframes.

We are also actively working on the plan to extend the timeframes for any prior authorization appeals in which the timeframe may have previously lapsed since March 1<sup>st</sup>. More information will be provided as this plan is finalized.

## **Supporting Members**

UHC/OptumRx customer service representatives will be provided training and scripts to equip them to support members who may call in with questions about their appeal process.

In addition, the Board of Trustees of SSEHP will be observing “shelter in place” regulations, allowing public bodies greater flexibility in utilizing technology in the conduct of meetings under the Open Meeting Law.

The Board has decided to implement “remote participation” procedures. This means that all or any of the members may choose to participate in a public meeting via remote access. For more information about participation, please email [sheila.macfadyen@ssehp.org](mailto:sheila.macfadyen@ssehp.org).