

# EMPLOYEES SECURITY FUND OF THE ELECTRICAL PRODUCTS INDUSTRIES

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April 2021

Dear Participant

This is to advise you about a new rule regarding extensions on certain deadlines that were granted during the COVID-19 National Emergency. Please read this notice carefully as your deadline may be expiring soon. This notice replaces any previous notice you may have received from us regarding this matter.

As you may be aware, last year, due to the COVID-19 National Emergency, the federal government extended certain deadlines for pension and health plan participants and beneficiaries. The extensions applied to the following deadlines:

- filing an initial claim for benefits
- filing an appeal of a claim denial
- requesting and perfecting an external review of an appeal denial, if applicable
- electing COBRA continuation coverage
- making payments for COBRA continuation coverage
- notifying the plan of qualifying events or disability
- filing for HIPAA special enrollment

Under new guidance just issued by the government, if your deadline for taking any action listed above falls (or fell) on March 1, 2020 or later, you are entitled to additional time to take that action. For calculating your deadline, we will disregard the time period until 60 days after the announced end of the National Emergency. However, in no event will your deadline be extended more than one year.

For example, let's say you have a deadline of 60 days starting on April 1, 2021 to take an action listed above, such as electing COBRA. In that case, your normal deadline would be May 31, 2021, 60 days after April 1. However, under this new guidance, your time period will not start running until 60 days after the announced end of the COVID-19 National Emergency. If the announced end is October 10, 2021, your new deadline period would start to run on December 9, 2021, 60 days after the announced end. In this example, with a 60-day deadline, your extended deadline would be February 7, 2022, 60 days after December 9, 2021. If the National Emergency has not ended, however, your deadline cannot go past May 31, 2022, since it cannot be extended more than one year.

Because some individuals' deadline may have already passed or are fast approaching, the Plan is granting an additional extension for anyone whose extended deadline would have fallen within 60 days of the date of this notice, **May 31, 2021**. Your extended deadline will not be earlier than this date.

You should carefully review your communications from the Plan regarding your deadline to determine what your original deadline was or is, so you can determine what the extended deadline is. Please be on the lookout for future communications from us regarding this extension, which is subject to change based on further guidance or rules from the government.

Sincerely,

Trustees of the Employees Security Fund of the  
Electrical Products Industries – Health &  
Welfare Plan

#### **Grandfathered Plan Status**

The Employees Security Fund of the Electrical Products Industries – Health & Welfare Plan believes this Plan is a “grandfathered health plan” under the Patient Protection and Affordable Care Act (the Affordable Care Act). As permitted by the Affordable Care Act, a grandfathered health plan can preserve certain basic health coverage that was already in effect when that law was enacted. Being a grandfathered health plan means that your plan may not include certain consumer protections of the Affordable Care Act that apply to other plans, for example, the requirement for the provision of preventive health services without any cost sharing. However, grandfathered health plans must comply with certain other consumer protections in the Affordable Care Act, for example, the elimination of lifetime limits on benefits. Questions regarding which protections apply and which protections do not apply to a grandfathered health plan and what might cause a plan to change from grandfathered health plan status can be directed to the Plan Administrator at the Joint Industry Board of the Electrical Industry at 718-591-1100. You may also contact the Employee Benefits Security Administration, U.S. Department of Labor at 1-866-444-3272 or [www.dol.gov/ebsa/healthreform](http://www.dol.gov/ebsa/healthreform). This website has a table summarizing which protections do and do not apply to grandfathered health plans.