

# The end of the National Emergency due to COVID-19

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## Overview

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Version 23.5 of the COBRA Administration Manager software is now available for download. Please update your software using one of the available update methods.

**How did we get here?** On February 10, 2023, President Biden signed [Doc. 2023-03218](#), that extended the ongoing national emergency concerning the COVID-19 pandemic to continue beyond March 1, 2023. Within the same document, he stated that he anticipated terminating the national emergency on May 11, 2023. Then, on April 10, 2023, the President signed into law [H.J. Res. 7](#), which terminated the national emergency effective immediately.

As most of you are aware, the early termination of the National Emergency has caused uncertainty regarding the duration of the "Outbreak Period." We have communicated with the DOL many times since April 10, requesting that they officially announce the "Outbreak Period" end date. Unfortunately, they have not.

Given the absence of an official announcement from the DOL regarding the end date, we have arrived at the realization that it is advisable to adopt the informal "Outbreak Period" end date set by the DOL, which is July 10, 2023. Please take the time to read and understand how this announcement will affect your COBRA administration.

### What was changed by the National Emergency?

Effective March 1, 2020, the Disaster Relief and Emergency Assistance Act implemented numerous changes to assist citizens and businesses during the pandemic. Specific to COBRA, it provided "extended" time frames for Plan Participants, Qualified Beneficiaries, and Claimants. These changes mandated that COBRA Administrators "disregard" the normal sixty-day election period and the forty-five/thirty-day standard premium payment grace period until the end of the "Outbreak Period."

When the law was written, it was assumed that it would be a short-term assistance package. However, after one year the national emergency was renewed (a national emergency expires after one year, if not renewed) and the Department of Labor released [Notice 2021-01](#) which provided guidance for Plan Administrators and affected individuals. It limited the disregarded period for individuals to 1-year from the date that the individual was required to act or the end of the "Outbreak Period."

### When is the change effective?

The law stated that the standard election period and premium payment grace periods would begin on July 10, 2023 (or the described Outbreak Period).

### What changes have been made to the COBRA Administration Manager due to the end of the national emergency?

After updating your software to version 23.5.x, you will see the following changes.

- The notices will continue to show information on the extended election period until July 10, 2023; thereafter there will be no mention of the national emergency and its extended time frames.
- COBRA-qualified beneficiaries who are sent a qualifying event notice between May 11, 2023, and July 10, 2023, will receive an additional election extension until September 8, 2023.

- COBRA-qualified beneficiaries who previously experienced a qualifying event or whose qualifying event letter was sent after May 11, **2022** (one-year prior to the national emergency end date) will begin their normal 60-day election period on July 10, 2023, subsequently ending on September 8, 2023.
- COBRA Participants will return to standard premium payment grace period (45-day initial or 30-day subsequent) on July 11, 2023.
- The suspension of COBRA coverage and the associated notice will end on July 10, 2023.
- An End of National Emergency letter has been added so that you may communicate with affected individuals of the end of the national emergency.
- The COBRA reports have been updated to use the end of the “Outbreak Period.”

Do we need to notify COBRA Qualifiers and Participants of the end of the National Emergency?

Yes, we believe that you should. At this time, sending a letter to affected individuals is not required by law, but the Department of Labor has recommended that plans communicate the end of the National Emergency to impacted individuals in advance. For further details, please refer to “End of National Emergency Administration”.

How do I update my software to the new version?

To perform an update to your software, start the COBRA Administration Manager software and under the File menu, select “Update Software via Internet” and then follow the provided instructions. For detailed information on updating your software, see “Update your Software to Version 23.5”.

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### *Update your Software to Version 23.5*

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The most common method for obtaining the update is to:

1. Under the File menu, select the “Update Software via Internet” option. (If Microsoft Windows asks if you wish to start as “Administrator,” select “No.”).
2. Click the Next button to download the files. After the files have downloaded, you may receive an “Unzipping Files” message. Please wait for the message box to go away before clicking the Next button.
3. Click the Next button to continue. You **may** be asked if you wish to review the new letters. You can select the desired letter and you will be shown the changes in red text. **Note:** If you are currently running version 23.x or higher, you **should not** be asked to review any letters.
4. If there are not any new or updated letters you are done with the update. Click the Next button to continue and then click the Finish button.
5. If there are new or updated letters you will be provided with a button to select the letters you wish to update and the groups that will be updated. If you do not select the letters (not recommended), they will not be updated in your system.
6. Click the **Finish** button to close the update. The COBRA Administration Manager software should open automatically.

Once updated, you will notice the logo in the upper right-hand corner of the COBRA Administration Manager. Below the logo, you will see the current version number of your software. If you are not running **version 23.5.0** or higher, please try the update again.

### Tech Tips:

- If you are told that you do not have an Internet connection, the most likely reason is that port 21 is closed on your router. Ask your IT Department to open port 21 (ftp). The IP Address is 70.167.110.20 and the port number is 21.
- If this procedure seems like it downloaded some files but when it starts, it shows an older version, it is possible the files got downloaded but your system would not allow it to unzip/extract. Make sure everyone is out of the COBRA software and try the update again.
- If it still has not updated to the newest version, try running the update via HTTPs. Click on the Help menu item, select Internet Settings, and change the update protocol to HTTPS. Then try the update again.

If your firewall blocks you from obtaining the update through the software (as described above), you can directly download it by visiting [www.cobrasolutions.com/firewall](http://www.cobrasolutions.com/firewall).

1. Click on the link above.
2. Follow the instructions on the web page.
3. Under step #3, you will be asked to provide a password for the update. The current password can be found in the emailed version of this newsletter (right column).
4. Continue to follow the steps followed by entering the COBRA Administration Manager and replace the current letters with the new letters.

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### *End of National Emergency Administration*

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The software has been updated to automate most of the changes for you. If you plan to send an "End of National Emergency" letter to affected individuals, follow the instructions below to complete the task easily.

### Instructions:

1. Click on the **End of NE** menu item and the End of National Emergency Letter window will open.
2. From the End of National Emergency Letter window, select how you would like the list of individuals who need to receive the letter to populate. You may select to populate the list for all groups or by one group at a time. **(Note: Self administrated companies will not have this option.)**
3. **Step 1**, select the "End of National Emergency Letter" from the drop-down box.
  - If you would like to review or edit the letter prior to sending the letter, click the Review/Edit button and the letter will open in the word processor.
4. After you select the letter, the names of the individuals who should receive the letter will populate in the list found under **Step 2**. (Note: You may receive a pop-up box informing you that the system has found more than 500 individuals to add to the list. To decrease the amount of time it takes to create the list, we recommend that you work with a list of 500 or less individuals at a time.)

The list of individuals has three columns.

- **Affected Individual** – The name of the individual who should receive the letter with either "Q" or "P" next to their name that designates whether they are a Qualifier or Participant.
- **Company/Group** – The name of the group that the individual belongs to.
- **Effective Date** – The date of the Qualified Beneficiaries COBRA start date.

Selecting individuals from the list (options).

- **Select All** – Click the Select All button to highlight all the individuals in the list.
- **Select Top 20** – Click the Select Top 20 button to highlight the first 20 individuals from the list. Important: This may be a good option if your printer cannot handle the heavy workload of the entire list.
- **Select None** – This will deselect all the highlighted individuals in the list.
- **Ctrl key** – Hold down the **Ctrl** key and click on the individuals that you would like to send the letter to.
- **Shift key** – Select an individual in the list, scroll down the list until you find the last individual that you would like to send the letter to in this batch, hold the **Shift** key down and select that individual. This will highlight everyone from the first individual to the last.

At the bottom of **Step 2** you will see an option to **Stop and edit one document prior to printing**. This option can be handy if you need to edit an individual's letter prior to printing. With this option you can only select one individual from the list at a time. Otherwise, keep this option set to **Send Selected Letters to Printer**.

5. Click the **Print** button to print the "End of National Emergency" letter to the highlighted individuals.
6. If necessary, leave the window and then reload it to get a new list of Individuals.
7. Once the list is empty, you are done.

#### Administration Tips and Troubleshooting:

- There is only one version of the letter, and it is used for all the groups. If you wish to edit the letter for a particular group, you should remove the edits before sending to your other groups.
- After you print a letter to an individual, they will be removed from the list.
- When printing a letter to an individual and editing it before printing (**Step 2. Stop and edit one document prior to printing**) the individual will not be removed from the list if you do not select to print the letter from the word processor.
- You can rebuild the entire list of individuals needing the End of National Emergency Letter if you have a printer problem or some other kind of problem where affected individuals are removed from the list.
  - Open the **End of NE** Window and select the Reproduce List tab.
  - Click on the End of National Emergency Letter in the drop-down box.
  - Click the Update List with Original List button.
  - The original list of individuals will load into the **Step 2** list box.
  - Using the **Step 2** list box, find the last individual that was printed correctly and then highlight the individuals who should be reprinted.
  - Once you have printed the desired letters, close the window, and then reopen it to see the regular list of individuals needing the letter.
- Criteria used to select COBRA Qualifiers.
  - A Qualifying Event letter must have been sent.
  - They still have time left in their NE COVID extended timeframe.
  - COBRA-qualified beneficiaries entered or who have not been sent the QE letter after updating to the new version (23.5) will not be added to the list, because they will receive the updated letter.

- Criteria used to select COBRA Participants.
  - They still have time left in their NE COVID extended timeframe.
  - Terminated COBRA participants that would still have time left on their extended timeframe and who were terminated for non-payment of premiums.
  - Individuals that are entered into the system as Retirees will not be shown on the list.
- Individuals will only be shown in the list if their extended timeframe is shortened.