

# Prescribed Reading

This update is published by 90 Degree Benefits to provide a summary of significant development to our clients. It is intended to be informative and does not constitute legal advice regarding any specific situation. Please consult with legal and/or tax advisors before applying this information to your situation. Confidential & Proprietary information of 90 Degree Benefits Company.

## **Projected Termination of the Public Health Emergency**

The Executive Office of The President released a memorandum on January 30<sup>th</sup> titled, *Statement of Administration Policy*. President Biden's administration announced its plans to end the COVID-19 national emergency and the public health emergency. Both emergency declarations were extended to May 11, 2023, with both emergencies to end on that date.

### **COVID-19 Diagnostic Testing:**

After the end of the COVID-19 public health emergency (starting May 12, 2023), your health plan will no longer be required to cover COVID-19 diagnostic testing (including over-the-counter tests) at no cost to the member. Diagnostic testing for COVID-19 may be paid the same as any other diagnostic tests. This means that members may be responsible for payment of all or part of the cost of COVID-19 tests, including over-the-counter COVID-19 tests, purchased on and after May 12, 2023.

### **COVID-19 Vaccinations:**

While most plans must continue to cover COVID-19 vaccines from an in-network provider at no cost to the member, starting May 12, 2023 your health plan may impose cost sharing for vaccines provided by a health care provider that's not in your health plan's network.

### **Reverting back to Pre-COVID timelines:**

During the pandemic, the National Emergency and Public Health Emergency affected certain time periods and dates for HIPAA special enrollment, COBRA continuation coverage, and internal claims and appeals and external review when determining the due dates for certain elections and other actions.

Affected deadlines were tolled during the Outbreak Period, which was defined as (a) one year from the date an individual is first eligible for relief from certain ERISA deadlines or (b) 60 days after the announced end of the national emergency due to COVID-19. Beginning on July 10<sup>th</sup>, the extended deadlines listed above will revert to their pre-emergency timeframes. It is important to note that claims that received "tolling" status may experience stop-loss issues.

**90 Degree Benefits, Inc. is currently reviewing your plan documents and will advise you if any additional changes/amendments will be required. If you have any questions or concerns, please do not hesitate to contact us at [customerservice.t7@90degreebenefits.com](mailto:customerservice.t7@90degreebenefits.com).**