

President Biden Signs Resolution Pushing Up the End of the COVID National Emergency Period Nothing to See Here?

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As we indicated in an [earlier client alert](#), President Biden announced his intent to end the extended COVID National and Public Health emergencies on May 11, 2023. However, on Monday, April 10, President Biden signed a resolution immediately ending the COVID National Emergency ("Outbreak Period"). It is important to note that this resolution does not end the COVID Public Health Emergency period which is still scheduled to expire on May 11, 2023.

Although this resolution will end the Outbreak Period a month early, it is not anticipated that this will have any impact on plan sponsors. As we previously discussed during the Outbreak Period, there was a general extension of time for meeting many of the deadlines pertaining to health and welfare plans. The Department of Labor ("DOL") had initially announced that these special rules would expire 60 days after the end of the COVID-19 emergency or July 10, 2023. Under the resolution signed by President Biden, these extensions of time are now set to expire on June 9, 2023, or 60 days after the new end date for the Outbreak Period of April 10.

However, based on informal comments made by the DOL, it now appears that the DOL will extend the end date for the special rules by announcing that they will expire 90 days after the end of the Outbreak Period. The practical effect of this anticipated DOL relief is that plan sponsors will once again have until July 10, 2023, to prepare for the end of the COVID National Emergency Period.

Nonetheless, this brief moment of panic over the potential acceleration of ending the Outbreak Period should serve to remind everyone that there is no time like the present to ensure necessary action steps are taken in preparation for its eventual end. To assist in this effort, the various governmental agencies charged with enforcing these rules have recently issued some helpful guidance in the form of [FAQs](#).

If you have any questions about these new regulations and requirements, please contact [Mark Smith](#) or any member of the Barley Snyder [Employee Benefits practice](#).

WRITTEN BY:



Mark A. Smith

Partner

Tel: (717) 399-1526

Email: msmith@barley.com