



President Signs Congressional Resolution Ending COVID-19 National Emergency on April 10, but Public Health Emergency Continues Until May 11

April 2023

On April 10, 2023, President Biden ended the National Emergency Declaration (NED), signing a Congressional Resolution terminating the NED on April 10, 2023.

The NED governs the Outbreak Period, during which group health plans disregarded certain time periods for determining COBRA, ERISA, and HIPAA deadlines. Under previous administration guidance, the NED had been set to end on May 11, 2023, with the Outbreak Period ending on July 11, 2023.

Now, with the NED having terminated on April 10, the Outbreak Period will end on June 9, 2023, thus affecting:

- COBRA election and payment deadlines;
- ERISA claims and appeals deadlines; and
- HIPAA special enrollment right events.

Impact on Employers. Some group health plan sponsors, relying on the dates in the prior guidance, may have already communicated plan deadlines to employees, participants, and beneficiaries. Those plan sponsors may continue to use those deadlines in plan administration. Other plan sponsors may use the new dates in determining the end of the Outbreak Period or choose some later date. Either way, an employer should coordinate with:

- Third-party administrators;
- Carriers;
- Claims administrators; and
- COBRA vendors.

The COVID-19 Public Health Emergency (PHE), however, remains in effect. The PHE affects:

- Mandates for employer plan coverage of COVID-19 testing and out-of-network vaccinations;
- Health Savings Account (HSA) eligibility for high-deductible health plan coverage that includes COVID-19 testing, vaccination, and treatment without cost-sharing; and
- Telehealth coverage and HSA eligibility for plan years starting in 2023 and 2024.

Resources

The Congressional Resolution terminating the NED can be found [here](#).



About Aon:

[Aon plc](#) (NYSE: AON) exists to shape decisions for the better — to protect and enrich the lives of people around the world. Our colleagues provide our clients in over 120 countries and sovereignties with advice and solutions that give them the clarity and confidence to make better decisions to protect and grow their business.

Follow Aon on [LinkedIn](#), [Twitter](#), [Facebook](#) and [Instagram](#). Stay up-to-date by visiting the [Aon Newsroom](#) and sign up for News Alerts [here](#).