



Laborers' COMBINED FUNDS OF WESTERN PENNSYLVANIA

*Serving the Laborers' District Council of Western Pennsylvania
Pension Fund, Welfare Fund and other affiliated Funds*

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President Biden has announced his Administration's intent to end the two key Covid emergency periods that have been in effect since early 2020. The emergency periods will end as of May 11, 2023.

The end of the emergency periods will affect the Members Laborers' District Council of Western Pennsylvania Welfare Fund (the Fund) primarily in two ways:

- May 11, 2023: The end of the free Covid testing/vaccine mandate; and
- June 9, 2023: The end of the Outbreak Period extensions for several key health plan deadlines.

The Covid Emergency Periods Ending May 11, 2023

There are two main ways the end of both Covid emergency periods affects group health plans:

Group Health Plan Effect #1: End of Free Covid Testing/Vaccine Mandate as of May 11, 2023

The prior rules required that all health plans cover COVID-19 testing expenses without any cost sharing during the Public Health Emergency (PHE). The mandate applied to diagnostic testing, including the cost of a provider, urgent care center, and emergency room visits to receive testing. As such, this meant that the Fund could not impose any deductibles, copays, coinsurance, or any other form of out-of-pocket expense for any covered individual who receives COVID-19 testing during the PHE. Subsequent legislation expanded on the types of testing that plans must cover without cost-sharing to include free coverage of preventive services and vaccines, including out-of-network providers. As of January 15, 2022, the mandate was expanded again for the remainder of the PHE to include over the counter (OTC) Covid tests.

With the end of the PHE on May 11, 2023, these free coverage mandates will no longer apply.

However, the Fund is still required to cover in-network Covid vaccines without cost-sharing as part of the ACA preventive services mandate that applies indefinitely for **in-network immunizations**.

As of May 11, 2023, such plans will no longer cover out-of-network Covid vaccines without cost-sharing.

The Fund Office is **extending the following services through May 31, 2023**, to allow for an orderly transition:

- \$0 COVID-19 vaccines
- \$0 COVID-19 diagnostic and antibody testing
- \$0 over-the-counter COVID-19 testing
- \$0 related services to diagnose COVID-19 - office visit (in-person or telehealth), emergency room, or urgent care
- \$0 prescription antiviral treatment

For Calls Made in Pennsylvania but Outside Metropolitan Pittsburgh, Use Toll Free Number: 1-800-242-2538
FAX NUMBERS: Benefits Dept. – 412-263-2813 • Reports Dept. – 412-263-2825 • Administrative Dept. – 412-263-2084

Group Health Plan Effect #2: End of Outbreak Period as of June 9, 2023

In light of the National Emergency, employers, employees, and dependents may have had difficulty meeting standard timeframes with respect to HIPAA, COBRA, and ERISA. The Outbreak Period rules extended certain of those timeframes to assist employers and employees in the process of maintaining employer-sponsored group health plan coverage. Guidance indicated that the maximum period that must be disregarded during the Outbreak Period is the earlier of:

- One year from the date the individual was first eligible for relief under the Outbreak Period; or
- 60 days from the announced end of the National Emergency (the end of the Outbreak Period).

As such, with the Biden Administration's announced intent to end the National Emergency period as of May 11, 2023, the Outbreak Period extensions will end as of June 9, 2023.

Accordingly, the applicable ERISA, COBRA, and HIPAA timeline calculations and deadlines return to normal timeframes starting June 9, 2023.

If you have any questions, please contact the Fund Office at 412-263-0900

or toll free at 1-800-242-2538.