

## COVID-19 IRS/DOL GUIDANCE TABLE

Cafeteria Plan Type	Claims Extension (DOL/IRS Final Regulations) (Extends the ability for HFSA participants to submit claims for the 2019 plan year or the 2019 – 2020 plan year, but NOT “incur” expenses)				Mid-Year Election Changes (IRS Notice 2020-29) Allows participants to change their annual elections for no reason			
	Applies to	Required or Optional	Expires	Amendment Required	Applies to	Required or Optional	Expires	Amendment Required
<b>Calendar Year Plan with no Grace Period or Carryover</b>	HFSA if 2019 claims period ended on or after 3/1/2020	Required	End of claims period after Outbreak Period*	Yes, no known deadline	Group health plans & FSAs	Optional	12/31/2020	Yes, sign by 12/31/2021
<b>Calendar Year Plan with Grace Period</b>	HFSA if 2019 claims period ended on or after 3/1/2020	Required	End of claims period after Outbreak Period*	Yes, no known deadline	Group health plans & FSAs	Optional	12/31/2020	Yes, sign by 12/31/2021
<b>Calendar Year Plan with Carryover</b>	HFSA if 2019 claims period ended on or after 3/1/2020	Required	End of claims period after Outbreak Period*	Yes, no known deadline	Group health plans & FSAs	Optional	12/31/2020	Yes, sign by 12/31/2021
<b>Off-Calendar Year</b>	HFSA if 2019 – 2020 plan year claims period ended on or after 3/1/2020	Required	End of claims period after Outbreak Period*	Yes, no known deadline	Group health plans & FSAs	Optional	12/31/2020	Yes, sign by 12/31/2021

\*Outbreak Period = 60 days after the end of announced National Emergency

Cafeteria Plan Type	Grace Period / Off-Calendar Year Extension (IRS Notice 2020-29) (Extends the ability for participants to “incur” eligible expenses for off-calendar years or calendar years with grace period ending in 2020)				Carryover Increase (IRS Notice 2020-33) Increase Carryover to \$550 (indexed with max HFSA amount)			
	Applies to	Required or Optional	Expires	Amendment Required	Applies to	Required or Optional	Expires	Amendment Required
<b>Calendar Year Plan with no Grace Period or Carryover</b>	Does not apply	N/A	N/A	N/A	Does not apply	N/A	N/A	N/A
<b>Calendar Year Plan with Grace Period</b>	HFSA/DCFSA	Optional	12/31/2020	Yes, sign by 12/31/2021	Does not apply	N/A	N/A	N/A
<b>Calendar Year Plan with Carryover</b>	Does not apply	N/A	N/A	N/A	HFSA, effective in PYB in 2021	Optional	Does not expire	Yes, sign by 12/31/2021
<b>Off-Calendar Year</b>	HFSA/DCFSA	Optional	12/31/2020, or if later, end of grace period for 2019-2020 plan year	Yes, sign by 12/31/2021	Only plans with HFSA carryover provisions, PYB in 2021	Optional	Does not expire	Yes, sign by 12/31/2021

Information above is as of 6/4/2020 and may change if additional guidance is published.

