Notice of Special Election Period

Recently the Departments of Labor and Treasury, in coordination with Health and Human Services, released final rulings to extend certain pre-established deadlines for non-federal government plans. This is an extension to HIPAA special enrollment and is an optional extension for employers to implement.

This temporary relaxed enforcement of mid-year qualifications and deadlines, employees will have several options to change or add some coverages without meeting the usual "qualified event" requirements. Any employees that want to take advantage of this opportunity must submit the special election form to the Benefits Division between the special election period of Tuesday, May 26, 2020 through Tuesday, June 30, 2020. Any elections that are received by May 31st will be effective on June 1, 2020 and elections received after May 31st will be effective on July 1, 2020.

Coverage Options available for this special election period are:

Flexible Spending Accounts

Healthcare FSA

- If you are not currently enrolled in a Healthcare FSA and wish to elect to contribute you may do so during this special election period. Please note: The grace period for using your funds has not changed. You would be able to file for reimbursement of expenses for service dates from the effective date through March 15, 2021.
- If you are currently enrolled in a Healthcare FSA, you can elect to increase or decrease your contribution at this time. Please note: If you have filed claims against your original election, you cannot decrease your election below, what is required to cover those expenses. *(See scenario 1)*
- If you are currently enrolled in a Healthcare FSA, and you have not filed any claims against your 2020 contributions, you may cancel your election back to January 1, 2020 and receive a refund for your contributions. *(See scenario 2)*

Dependent Care FSA

- If you are not currently enrolled in a Dependent Care FSA and wish to elect to contribute you may do so during this special election period. You would be eligible to file for reimbursement for service dates from the effective date of coverage through December 31, 2020. *(See scenario 3)*
- If you are currently enrolled in a Dependent Care FSA, you can elect to increase or decrease your contribution at this time. Please note: The filing period for using your funds has not changed. You would be able to file for reimbursement of expenses for service dates from January 1, through December 31, 2020. *(See scenario 4)*
- If you are currently enrolled in a Dependent Care FSA and wish to cancel your account going forward, please remember that you will not be able to file any claims against your remaining balance for dates of service after your cancellation effective date. *(See scenario 5)*
- If you are currently enrolled in a Dependent Care FSA, and you have not filed any claims against your 2020 contributions, you may cancel your election back to January 1, 2020 and receive a refund for your contributions. *(See scenario 6)*

To make any of the above listed elections, you will need to complete the Special Election Period Form and return it to the Benefits Division on or before June 30, 2020. If you have any questions, regarding this Special Election Period, please contact the Benefits Division through HR Central at 703-324-3311.

Special Election Period Scenarios

1. Jane enrolled in a Healthcare Flexible Spending Account during Open Enrollment. She elected $500 for her annual contribution for a planned dental surgery. In February, Jane learned she would need to have surgery on her shoulder and would like to contribute an additional $1,000 to her Healthcare FSA. Jane can increase her contribution election during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. Jane should complete the form requesting a $1,500 annual contribution, reflecting the total amount she wants to contribute.

2. Bob enrolled in a Healthcare Flexible Spending Account during Open Enrollment. He elected $2,700 for his annual contribution for a planned back surgery. Due to the COVID-19 Pandemic, Bob's surgeon has cancelled his surgery and cannot predict when it will be rescheduled. Bob has not filed any claims against his Healthcare FSA. He can cancel his contribution election back to January 1, 2020 during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. The payroll deducted contributions will be returned to Bob via pay advice and any applicable taxes will be applied.

3. Tina enrolled in a Healthcare Flexible Spending Account during Open Enrollment. She elected $2,000 for her annual contribution for various medical expense. In January, Tina submitted a claim for reimbursement in the amount of $1,500 but now, due to the COVID-19 Pandemic many of Tina's scheduled appointments have been cancelled. Tina can reduce her contribution election during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. As of May 22, 2020, Tina has contributed $814 of the $1,500 she has already claimed. Tina cannot reduce her contributions below the amount that she has already claimed for 2020.

4. Maria has two small children at home. Her spouse has always worked on the third shift and been able to care for the children during the day while Maria was working. Due to the COVID-19 Pandemic, Maria's spouse has had to change his working hours and can no longer care for their young children. Maria was able to find care for her children at the Employee Child Care Center. Maria may elect to enroll in and contribute to a Dependent Care FSA during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. Maria completed the form requesting a $2,000 annual contribution and submitted it on May 29, 2020. Maria's contributions will begin on June 1, 2020 and her first deduction will be on pay advice number 12, on June 19, 2020. Maria can begin submitting claims for qualified services between June 1, 2020 and December 31, 2020.

5. Keisha has two children. One of her children is cared for at a local daycare center near Keisha's home while she is working. Keisha's other child is school-aged and typically attends summer camp with the Rec-PAC Program. Due to the COVID-19 Pandemic, Rec-Pac has been cancelled. Keisha previously enrolled in a Dependent Care Flexible Spending Account during Open Enrollment for $5,000. As of pay period number 10, May 22, 2020, Keisha has contributed $2,035. She does not want to cancel the account so she can continue to access the funds for her child in daycare but calculates she will now only use $2,500. Keisha may elect to reduce her contributions to her Dependent Care FSA during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. Keisha completes the form requesting a $2,500 annual contribution, reflecting the total amount she wants to contribute. She will have access for contributed funds for services between January 1 and December 31, 2020.

6. John has one child who receives care from a daycare center near his home while he is working. Due to the COVID-19 pandemic, John's spouse has been laid-off and is now available to care for their child. John previously enrolled in a Dependent Care Flexible Spending Account during Open Enrollment for $5,000. To date, John has contributed $2,220.

    a. John may elect to cancel his future participation in his Dependent Care FSA during this Special Election Period. John completes the form and submits it to the Benefits Division on June 2, 2020. John's contributions will cease effective July 1, 2020 and will be reflected on pay advice number 14 on July 17, 2020. John will have access to the funds he has contributed through December 31, 2020 for services between January 1 and June 30, 2020 only. Any unused funds in his account will be forfeited.
    b. John may elect to reduce his contributions to his Dependent Care FSA during this Special Election Period by completing the appropriate form. John can complete his form reducing his contribution to $2,300. This maintains John's enrollment in the Dependent Care FSA and will have access to funds for services between January 1 and December 31, 2020 only.

7. Brooke has one child who usually attends summer camp though a county program where they live in Montgomery County. Due to the COVID-19 Pandemic, this summer camp has been cancelled. Brooke previously enrolled in a Dependent Care Flexible Spending Account during Open Enrollment for $1,500. Brooke may elect to cancel enrollment in her Dependent Care FSA during this Special Election Period by completing the appropriate form and returning it to the Benefits Division. The payroll deducted contributions will be returned to Brooke via pay advice and any applicable taxes will be applied.