

COVID-19 IRS/DOL GUIDANCE TABLE

Cafeteria Plan Type	Claims Extension (DOL/IRS Final Regulations) (Extends 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
Calendar Year Plan with no Grace Period or Carryover	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
Calendar Year Plan with Grace Period	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
Calendar Year Plan with Carryover	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
Off-Calendar Year	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 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
Calendar Year Plan with no Grace Period or Carryover	Does not apply	N/A	N/A	N/A	Does not apply	N/A	N/A	N/A
Calendar Year Plan with Grace Period	HFSA/DCFSA	Optional	12/31/2020	Yes, sign by 12/31/2021	Does not apply	N/A	N/A	N/A
Calendar Year Plan with Carryover	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
Off-Calendar Year	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 current on June 4, 2020 and may change if additional guidance is published.