

MEMORANDUM

DATE: April 26, 2021

RE: American Rescue Plan Act Update

[Last month](#) we told you about two key components of the American Rescue Plan Act (ARPA): (1) the extension and expansion of payroll tax credits for COVID-19 related paid leave, and (2) subsidies for COBRA health insurance premiums for eligible employees. We have a couple of related updates:

- As we hoped, the IRS issued a [fact sheet](#) about the employers eligible for the paid leave tax credits and how those employers can claim the credits. Employees can now qualify for paid leave for absences taken to get or recover from the COVID-19 vaccinations. This latest extension of the FFCRA benefits will continue through September 30, 2021.
- The DOL has issued the ARPA COBRA model notices and related FAQs. You can find them [here](#), under the “For Employers and Advisors” section. As a reminder, the subsidies cover the full cost of COBRA or mini-COBRA premiums from April 1 - September 30, 2021, for employees (and their qualifying family members), if the employee lost or loses group health insurance due to an **involuntary** job loss or any reduction in work hours. The new notices must be provided to individuals who:
 - Become eligible for COBRA or Oregon state continuation (i.e., mini-COBRA) coverage during the period between April 1 and September 30, 2021 (notice would be provided in the normal course);
 - Have already elected COBRA coverage (in which case the new notice must be provided by May 31, 2021); and
 - Are eligible for the subsidy but who declined or discontinued COBRA or mini-COBRA before April 1, 2021 (in which case the new notice must be provided by May 31, 2021).

For more information, please contact our Labor and Employment attorneys, [Amanda Walkup](#), [Andy Lewis](#) and [Mario Conte](#).

This summary provides general information and should not be construed as legal advice or a legal opinion on any specific facts or circumstances. If you have specific legal questions, you are urged to consult with your attorney concerning your own situation.