

Dominic J. Mancini
Deputy and Acting Administrator
Office of Information and Regulatory Affairs, Office of Management and Budget
725 17th Street, N.W.
Washington, DC 20503

Subject: Request for Emergency Review and Clearance

Dear Mr. Mancini:

President Biden signed the American Rescue Plan Act (the Act) on March 11, 2021. Section 9501 of the Act provides premium assistance for COBRA continuation health coverage for certain assistance eligible individuals and their families for periods of coverage beginning on April 1, 2021, through September 30, 2021.

Section 9501(a)(5) of the Act requires group health plans and other entities to provide notices regarding premium assistance to assistance eligible individuals. Section 9501(a)(5)(D) of the Act requires the Secretary of Labor, in consultation with the Secretaries of the Treasury and Health and Human Services, to develop model notices that can be used for this purpose within 30 days of the date of enactment. The model notices are information collections requests (ICRs) subject to the Paperwork Reduction Act of 1995 (Pub L. 104-13, 44 U.S.C. Chapter 35). The notices are needed to inform individuals of their rights under the Act.

The Department is hereby requesting that OMB process a 180-day clearance for the proposed new ICR for the model notices entitled, "COBRA Continuation Coverage: ARP Premium Assistance Model Notices" (1210-ONEW) in accordance with the emergency review procedures set forth under 5 CFR 1320.13. The Department is requesting emergency review and clearance, because it would not be able to meet the statutorily imposed deadline of April 1, 2021 to issue the model notices if it were required to comply with the normal PRA clearance procedures. Due to the exigent circumstances, the Department also is requesting OMB to waive the notice requirement set forth in 5 CFR 1320.13(d).

Please provide your approval/disapproval determination of this request by close of business on March 29, 2021.

Respectfully,

Ali Khawar
Principal Deputy Assistant Secretary
Employee Benefits Security Administration
Department of Labor