

II. Program-Specific Recovery Plan for Recovery.gov (Q 2.8 of Guidance)	
DOL Agency MAX ID and name: Employee Benefits Security Administration (EBSA)	
Recovery Program: COBRA Premium Assistance	
Does this program align with an existing CFDA program?	17.151 Employee Benefits Security Administration (EBSA)
1. Objectives:	
Program Purpose	The American Recovery and Reinvestment Act of 2009 (Recovery Act) contains COBRA (Consolidated Omnibus Budget Reconciliation Act) premium assistance provisions that expand COBRA eligibility and provide eligible individuals with a reduction of their COBRA premiums for up to 9 months (through legislation this was changed to 15 months). Eligible individuals pay only 35 percent of their COBRA premiums; the remaining 65 percent is paid by the employer who is reimbursed through a payroll tax credit. Prior to the Recovery Act, individuals who continued health insurance under COBRA paid 100 percent of health insurance premiums to their employer.
Public Benefits	<p>The Recovery Act expands COBRA eligibility, provides premium assistance, and allows individuals who have been denied COBRA premium assistance by their group health plans, covered by the Employee Retirement Income Security Act (ERISA) act, to seek expedited review of the denials from the Secretary of Labor.</p> <p>The Recovery Act further directs the Secretary of Labor to: (a) develop and issue model notices to be used by group health plans to notify terminating employees of their rights under COBRA and potential right to the premium assistance, (b) conduct an aggressive outreach and education effort to educate plan participants and plan administrators about these new provisions, and (c) to establish a process for the individuals who have been denied the COBRA Premium Assistance to seek the Secretary's expedited review.</p>
2. Projects and Activities:	
Develop and Issue Model Notices	Develop and issue model notices to be used by group health plans to notify terminated employees and others with a qualifying event of their rights under COBRA and potential right to premium assistance.
Conduct Outreach	Conduct an aggressive outreach effort consisting of public education and enrollment assistance related to the premium reduction. EBSA will target plan participants and plan administrators, employers, States, insurers and other entities about the new Recovery Act provisions. The outreach will focus on individuals electing continuation coverage as well as on the entities responsible for making the premium assistance available to those for whom it is intended.
Establish Expedited Review Process	Establish a process for individuals who have been denied the COBRA Premium Assistance to seek the Secretary of Labor's expedited review.
3. Characteristics:	
Types of Financial Awards to be used.	J Provision of Specialized Services K Advisory Services and Counseling N Investigation of Complaints

Type of Recipient	Federal
Type of Beneficiary	Individual/Family
4. Major Planned Program Milestones:	
Issue Model Notices	EBSA was required to create model notices and model disclosure forms within 30 days of enactment of the Recovery Act. Model notices, forms, and disclosure notices were issued on March 19, 2009. These forms are available at http://www.dol.gov/ebsa/COBRA.html .
	Completed: March 19, 2009
Develop expedited review program	EBSA, by statute, developed an expedited review program for COBRA premium assistance for individuals who suffered job loss or qualifying event between the periods of September 1, 2008 through December 31, 2009 and feel they were wrongly denied COBRA Premium Assistance. The Department must review the appeals and issue a determination within 15 business days after receipt of an individual's application for review. EBSA received over 19,000 applications for expedited review and overturned the employer's decision to deny COBRA Premium Assistance in over 12,000 cases. EBSA followed a detailed hiring plan to ensure appropriate staffing levels for the program and processed approximately 98 percent of expedited reviews in 14 days or less.
	Expected Completion Date: Ongoing through May 31, 2010 (or, if extended, through the termination of the program)
Conduct participant outreach & education	<p>The Recovery Act directed the Secretary to provide public outreach specifically targeted to unemployed workers and those facing job loss regarding COBRA Premium Assistance. EBSA is also responsible for providing targeted outreach to employers, group health plan administrators, public assistance programs, States, insurers, and other entities to educate them about these programs and their new responsibilities under the law. With Recovery Act resources, EBSA conducts participant outreach to educate employees and employers of their rights and obligations under the Recovery Act COBRA Premium Assistance program. EBSA created a dedicated COBRA website to include educational materials, FAQs, and archived compliance assistance videos.</p> <p>Outreach activities include:</p> <ul style="list-style-type: none"> • Establishment of a dedicated COBRA website with up-to-date information on the program and the ability to subscribe to the site for notification when new material is added to the site. The Web site contains model notices, frequently asked questions and will include a link to an e-file website for those who have been denied the subsidy to file an application for review. • Development of new posters and flyers for individuals facing job loss explaining the COBRA premium reduction. • Translation of educational materials and the application for expedited review into Spanish. • Printing and distribution of materials via outlets frequented by the unemployed including State One-Stop Centers, unemployment offices and Rapid Response sessions. • Conducting 2 live Webcasts for the employer and plan professional community. • Conducting regional workshops.

	<ul style="list-style-type: none"> • Addition of a specific discussion on the COBRA premium reduction in the on-going Health Benefits Education Campaign seminars. • WebEx briefings of Congressional staff. • Presentations of COBRA and Recovery Act provisions at Rapid Response events. • Development and distribution of Dislocated Worker and COBRA videos targeting employees. • Participation in presentations, workshops, and Webcasts sponsored by other organizations. • Working with Department of Treasury and Department of Health and Human Services.
	<p>Expected Completion Date: Ongoing through May 31, 2010 (or, if extended, through the termination of the program)</p>
<p>5. Monitoring and Evaluation:</p>	
<p>EBSA implemented a new program for the review of employee appeals of COBRA Premium Assistance denials. The process for handling the requests for review of COBRA Premium Assistance denials includes intake, technical review and final determination.</p> <p>EBSA's Office of Participant Assistance (OPA) is responsible for overseeing the day-to-day operations of the COBRA premium assistance appeal program. OPA reports daily, weekly and monthly program results and ensure that the intake process adheres to EBSA's established quality assurance program and that EBSA is responding in a timely fashion. The Technical Assistance and Inquiry System (TAIS), as amended, provides timeliness statistics to be used for evaluating the performance data for leadership review and consideration (e.g. applications received, processed, resolved, numbers of days to respond, etc). As necessary and consistent with Recovery and Risk Mitigation plans, standard operating procedures established nationwide to implement this program may be altered and/or resources redirected to ensure Recovery Act compliance. EBSA has created a flexible program that may be scaled up (or down) based on actual experience.</p> <p>EBSA has overseen management of the Recovery Act funds, consistent with Recovery Act reporting and accountability guidance received from the Department and is already reporting to the Department and OMB daily, weekly, and monthly on Recovery Act activities. EBSA has developed quality assurance standards, methods for measuring program success - including provisions in the contract that require the contractor to develop a quality assurance program, expanded the inquiry tracking database that will produce real time data, hired temporary staff and trained existing and new staff. Management and program oversight to the entire intake and review process was employed to ensure that applications are being processed timely (within 15 business days) and in accordance with established procedures.</p> <p>A dedicated COBRA website was developed that includes the latest guidance on the Recovery Act COBRA provisions, model notices, FAQs, fact sheets & publications and eventually the e-file and paper filing instructions for requesting an expedited review of COBRA subsidy denials. This site also meets the intent of the Recovery Act to provide a transparent means of reporting results.</p> <p>An aggressive outreach and education program continues to assist employers, workers, health plan providers or workers facing plant closures, layoffs, or bankruptcies. The plan provides critical and timely information related to eligibility and enrollment in these programs as needed to ensure continuation of their health benefits under COBRA. Outreach activities include, but are not limited to, educational materials and publications and video presentations to help participants understand their new rights and protections under the Recovery Act legislation. EBSA will conduct customer satisfaction surveys as appropriate, following webcasts or onsite participant outreach activities.</p>	

6. Measures:	
Measure Text	Number of days required to complete processing of 65% of applications
Measure Type	Efficiency
Measure Frequency	Monthly
Direction of Measure	Decreasing
Unit of Measure	Business days
Explanation of Measure	The Recovery Act directs the Secretary, in part, to establish a process for the individuals who have been denied the COBRA Premium Assistance to seek the Secretary's expedited review and receive a response within 15 business days. Calculating, based on actual experience, will provide results data to determine whether EBSA is meeting the intent of the Statute. Through May 2010, EBSA processed 98% of applications in 14 days or less.
Year	2010
Original Program Target	N/A
Revised Full Program Target	14
Targeted ARRA Increment	14
Actual	In 14 days or less, EBSA processed 98% of applications
Goal Lead	Sharon Watson, Director, Office of Participant Assistance
Measure Text	Number of Congressional staff briefings conducted by EBSA with respect to the COBRA Premium Reduction
Measure Type	Output
Measure Frequency	Monthly
Direction of Measure	Increasing
Unit of Measure	Number of events
Explanation of Measure	The Recovery Act directs the Secretary, in part, conduct an aggressive outreach and education effort to educate plan participants and plan administrators about these new provisions. Through May 2010, EBSA conducted 44 briefings.
Year	2010
Original Program Target	N/A
Revised Full Program Target	10
Targeted ARRA Increment	10
Actual	44
Goal Lead	Sharon Watson, Director, Office of Participant Assistance
Measure Text	Number of compliance Webcasts conducted by EBSA with respect to the COBRA Premium Reduction
Measure Type	Output

Measure Frequency	Monthly
Direction of Measure	Increasing
Unit of Measure	Number of events
Explanation of Measure	The Recovery Act directs the Secretary, in part, conduct an aggressive outreach and education effort to educate plan participants and plan administrators about these new provisions. Through May 2010, EBSA conducted 1 Webcast.
Year	2010
Original Program Target	N/A
Revised Full Program Target	1
Targeted ARRA Increment	1
Actual	1
Goal Lead	Sharon Watson, Director, Office of Participant Assistance

7. Transparency and Accountability:

Consistent with Recovery Act guidance and DOL's reporting plan, program statistics are posted on appropriate websites for review by the public, including the EBSA dedicated website, and, at the Department's and OMB's discretions, the DOL Recovery website as well as Recovery.gov.

EBSA created a dedicated COBRA website (<http://www.dol.gov/ebsa/COBRA.html>) where it has provided a number of updated educational materials to help participants and their families learn about their new rights and protections under the Recovery Act. These publications, in both English and Spanish, include answers to the most common questions workers have with respect to COBRA continuation coverage and the premium assistance, and provide a toll-free number and website address for more information and assistance. These publications, plus many others focusing more specifically on COBRA and other health rights and pension protections, will be available free of charge at 1-866-444-EBSA (3272). The Department's Office of Public Affairs tracks website visits and makes available that information to Agencies.

The COBRA Premium Assistance Program is a new temporary program that is not linked with existing program indicators or cost model allocations of spending. All Recovery Act expenditures are related to either the COBRA Premium Assistance expedited review of applications or continued outreach and education. The cost model EBSA uses for regular appropriations are not be used for this program. However, Recovery Act funds are segregated and may be utilized to develop unit costs for some activities (e.g. applications processed).

The relevant EBSA program managers are held accountable for accomplishing the performance target of processing expedited review of completed applications within 15 business days.

EBSA SES performance expectations include results that reflect expected efficiencies and outputs for Recovery Act activities.

8. Federal Infrastructure Investments:

N/A

9. Barriers to Effective Implementation:

EBSA identified personnel skills gaps. The agency implemented a plan to hire temporary law students to handle the additional workload and contracted additional support for the intake of initial applications. EBSA created a flexible program that may be scaled up (or down) based on actual experience.

10. Environmental Review Compliance:

N/A
