

New York Life Group Benefit Solutions: COVID-19 FAQs

Updated April 1, 2021

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New or updated FAQs

New: [Do you recommend any resources for employers as companies contemplate resuming normal or phased business activities?](#)

Resuming normal or phased activities presents an opportunity to update your COVID-19 preparedness, response, and control plans. The Centers for Disease Control (CDC) has developed [business guidance](#) to help employers protect essential workers and to help others increase their workers' safety by adopting supportive workplace policies.

New: [Can you share more information about legislation mandating leave for vaccinations?](#)

States are taking varying approaches to how they plan to handle vaccine related issues, particularly leave to obtain a vaccine or to deal with possible side effects. So far, New York and California specifically require paid time off for reasons related to the COVID-19 vaccine. At the federal level and for those employers choosing to voluntarily extend FFCRA leave under the American Rescue Plan, employees can be paid while out of work for vaccine related reasons.

Updated: [What resources do you have to help employers understand the evolving legislative changes being made to federal and state leave and disability plans?](#)

Our Absence Management Newsletter is intended to keep our client and producer contacts informed on pending or enacted leave, disability and statutory laws. In our most recent edition, we share a summary of CA and WA PFML Updates, COVID-19 resources, and important dates to keep in mind.

Updated: [Can you describe how the recent changes to the Families First Coronavirus Response Act \(FFCRA\) impact employers?](#)

As a reminder, this legislation only impacts employers with less than 500 employees and public agencies, as defined by the FMLA.

Earlier this year, the Families First Coronavirus Response Act (FFCRA) was enacted in response to the COVID-19 pandemic. Related regulations were subsequently issued by the Department of Labor (DOL). On March 11, 2021, President Biden signed the American Rescue Plan which includes an extension to the payroll tax credit for employers created by the FFCRA and additional changes to paid leave provisions.

Updated: [How is Group Benefit Solutions \(GBS\) addressing eligibility for employees who have been furloughed, temporarily laid off, or had their hours reduced?](#)

For 175 years, New York Life Ins. Co has helped people to protect their families and futures. We are unified in our commitment to do what's best for our employees, clients, customers and our communities. We will continue to work with our clients to understand their unique situation and determine if certain eligibility and other accommodations can be supported. If you have any questions related to your eligibility extension date, please contact your Group Benefit Solutions Account Executive.

Updated: We experienced the loss of an employee after they had received the COVID-19 vaccine. Are there any policy exclusions related to the COVID-19 vaccine?

Group Benefit Solutions Life Insurance helps provide families with additional financial resources should a covered person pass away prematurely. In the unfortunate event that a covered person were to pass away from COVID-19 or after receiving the vaccine, Life Policy benefits would apply. We do not have any policy exclusions related to COVID-19, vaccinations, or vaccine trials.

Coverage and policy questions

What earnings will be used for employees who are furloughed or have a loss in hours?

Any resultant decrease in compensation during this period will not impact any benefit amount. We will base earnings off of the policy's definition and apply to the time period prior to the furlough, temporary layoff or reduced hours.

At the end of a furlough period, will employees be able to port or convert their coverage?

Employers will need to refer to the policy for details concerning when coverage terminates, any available conversion or portability options and any corresponding time frames.

Can Group Benefit Solutions help me track absence connected to COVID-19 quarantine?

If Group Benefit Solutions is administering Federal and/or State Family and Medical Leave on your behalf and your employee(s) are eligible and approved for a leave of absence under the Family and Medical Leave Act (FMLA), we will administer the leave per the terms and conditions of our agreement.

Please note, we will administer leaves for our clients (employers with under 500 employees and all public agencies) that are covered under the Families First Coronavirus Response Act. Private employers with over 500 lives are not covered under this expansion and should not designate a leave that does not qualify for FMLA as an FMLA leave, since employees are limited to 12 weeks of FMLA in any 12-month period.

How and when would a COVID-19 diagnosis constitute a disability?

Symptoms consistent with COVID-19 and/or a positive COVID-19 test will be evaluated against the terms and conditions of your Group Benefit Solutions disability policy or plan as they would any other confirmed sickness. We will work closely with our customers, clients, providers, and clinical resource team to obtain the information necessary to make a determination. It is important to note that state disability, paid sick leave and/or family medical leave protection plans may have varying definitions for 'disability.'

Can Group Benefit Solutions provide guidance on revising self-funded Short Term Disability programs in light of the pandemic?

Yes. We are recommending that your plans be preserved to ensure all employees and conditions are handled consistently.

We have received many requests to fundamentally change plans for clients that have self-funded Short Term Disability (STD) programs with us. The most frequent requests include:

- Waiving the elimination period for COVID-19 diagnosis
- Paying STD benefits for a period of quarantine for suspected exposure or actual COVID-19 diagnosis without symptoms
- Increasing the amount of pay for employees out of work due to quarantine, suspected exposure or actual disability related to COVID-19
- Paying longer periods of time than may be medically necessary
- Paying STD benefits for employees who test positive for COVID-19, but are asymptomatic

We recommend that your disability plans be preserved and we have outlined the following suggestions if you want to extend additional benefits and support to your employees during this time:

- Continue to look for opportunities for employees who test positive for COVID-19, but are not disabled or symptomatic, to work from home.
- In the event that working at home is not an option and your company has decided to provide pay for a period of quarantine, handle that through your normal payroll practices. This eliminates the need to file claims and generally reduces the timeframe for an employee to get paid.
- In the event that an employee is disabled as a result of COVID-19 (and we have approved the claim) and your company has decided to not require an elimination period be satisfied, we recommend providing payment for that time (typically 7 days) through payroll. This will eliminate special handling requests and errors for non-related COVID-19 issues as well as permit you to take any additional steps to ensure your workplace is safe for said employee's co-workers.
- Should you choose to provide benefits over and above what your plan may provide, our guidance again is to handle that as a function of payroll versus modifying or adjusting your plan for this one specific condition/situation. This should help avoid the risk associated with permitting different benefits to be paid for this condition versus others (e.g., cancer, etc.).

Will Group Benefit Solutions accommodate an employer's decision to approve benefit payments if clients have a self-funded Short Term Disability plan?

We are unable to deviate from our contractual agreement; however, we will work closely with our clients, customers, providers and clinical resources to gather all information necessary to ensure we have a holistic view of our customers' restrictions and limitations and all supporting documentation necessary to make an accurate claim determination.

Federal and state leave and disability legislation

Can Group Benefit Solutions help employers understand the EEOC guidance for the Americans with Disabilities Act (ADA) as worksites begin reopening?

The Equal Employment Opportunity Commission (EEOC) enforces workplace anti-discrimination laws, including the Americans with Disabilities Act (ADA), and including the requirement for reasonable accommodation and rules about medical examinations and inquiries.

As worksites begin to reopen, these laws continue to apply; however, they do not prevent an employer from the following guidelines suggested by the CDC about steps employers should take regarding COVID-19. Here is a link to helpful resources on the [EEOC website](#).

Are stimulus checks issued by the government considered an offset for STD and LTD benefits?

No, the stimulus checks are not considered income.

Can an employer require employees to stay home? If employees are unable to complete their job functions from home, are employers required to provide paid leave?

Employers should follow recommendations established by local law enforcement and health agencies. State paid sick leave and/or family medical leave protection may be available in these situations. Your Group Benefit Solutions team serves as your consultative partners where we are able to provide appropriate guidance and direction. With respect to company-sponsored paid leaves and questions pertaining to eligibility and duration, we must defer questions related to these plans to our clients to make the appropriate determinations consistent with their plans and policies.

Updated: Would an employee be considered eligible for a leave (paid or unpaid) if local health departments or law enforcement agencies require business closures or require employees to stay home under quarantine?

An expansion of the Family and Medical Leave Act of 1993 (FMLA) was passed in March, 2020 and most recently extended on a voluntary basis in March 2021. Public agencies and employers with under 500 employees may provide employees paid leave if the employee is unable to work or telework because of quarantine, self-quarantine, symptoms, care of family member, school closure, to obtain a vaccine or because of side effects from a vaccine.

In addition, individuals who are quarantined or are caring for family members who are quarantined as a result of a possible COVID-19 infection may be eligible for unpaid leave under the Family and Medical Leave Act (FMLA) of 1993 if the reason qualified as a “serious health condition,” which includes a period of incapacity of more than three consecutive, full calendar days, and the condition involves treatment by a health care provider.

Will Group Benefit Solutions accommodate an employer’s decision to approve Family Medical Leave (FMLA) during employer-initiated quarantines?

Employers should not designate a leave that does not qualify for FMLA as an FMLA leave, as an employee is limited to 12 weeks of FMLA in any 12-month period. If an employer improperly designates a non-FMLA leave as FMLA qualifying, the employer may interfere with the employee’s right to take 12 weeks of true, qualifying, FMLA leave within the same 12-month period. The Department of Labor has issued additional guidance in this regard: <https://www.dol.gov/agencies/whd/fmla/pandemic>

Claim and leave process questions

Will an employee on disability leave be permitted to return to work without a release from their provider?

Our approach to confirming a return-to-work release for our customers who have been disabled has not materially changed due to the COVID-19 pandemic. Group Benefit Solutions will accept a return-to-work release from a provider without the customer being physically examined.

Will Group Benefit Solutions offer provisional approval of insured Long Term Disability (LTD) claims without customary medical documentation?

If a customer is unable to provide medical documentation to extend their claim, we will work with the customer to provide additional time based on their unique situation. Our experience thus far has shown that this approach is working for our clients and customers. A majority of claims are well-established by the time they reach the STD-LTD transition date and in situations where we need more information, we are using new methods such as peer physician reviews and telemedicine to aid our decision-making.

What is Group Benefit Solutions Group Insurance doing to update disability claim and leave processes to accommodate customers during this unprecedented time?

Please note, these updates apply to both fully-insured and self-funded business (FI and ASO):

- Group Benefit Solutions will provide a 14-day approval on Short Term Disability (STD) claims with a verbal confirmation of symptoms and treatment of COVID-19 from the customer. Please note, your standard elimination period and other plan provisions will still apply. The 14-day approval period starts on the date of disability.
- Group Benefit Solutions' standard STD claim process includes fast-tracking of claims with known trends and outcomes. COVID-19 claims will be included to expedite claim decision and payment timeframes.
- If a customer is unable to provide medical documentation to extend their claim, Group Benefit Solutions will work with the customer to provide additional time based on their unique situation. When more medical documentation is needed to support long term claim extensions, we are using new methods, such as peer physician reviews and telemedicine reports, to ensure there is no delay in decision-making.
- Group Benefit Solutions' claims managers will work directly with customers and their employers to identify opportunities for them to work from home during their recovery from COVID-19.
- If Group Benefit Solutions is managing leave and disability for a client, Group Benefit Solutions will identify the most appropriate option based on their circumstances. For example, if a customer is quarantined and does not meet the definition of disability, but would be covered by federal, state, or pre-established company leave programs, we will advise the customer of the coverage and manage the absence in accordance with those plan rules.

How do my employees report a leave or disability to Group Benefit Solutions?

We strongly recommend that employees report their leave or disability online: www.Cigna.com/customer-forms or www.mycigna.com. This is the most effective means to report an event as call volume increases. Employees

may also report an event by phone at 888.842.4462 or 866.562.8421 (español), 7:00 am-7:00 pm CDT and a representative will walk them through the process.

Additional resources

What additional resources can Group Benefit Solutions offer?

My Secure Advantage¹ is a full-service financial wellness offering, available to all Group Benefit Solutions Group Insurance customers and their household members. This offering includes 30-days' pre-paid expert money-coaching for many types of financial strategies and challenges, identity theft and fraud resolution services, and online tools for state-specific wills and other important legal documents. Your employees can access this benefit by calling: 888.724.2262 M-F 9am to 11pm EST or they can go online and visit <https://Cigna.mysecureadvantage.com/>.

Note: Additional Value-Added Services may be available for your employees; however, programs and availability vary.

Finally, please visit [New York Life.com](http://NewYorkLife.com) to browse a variety of topics related to COVID-19. You can find helpful resources and new perspectives here: [COVID-19 topics](#).

What is the Brave of Heart Fund?

The New York Life Foundation and Cigna Foundation created the Brave of Heart Fund at E4E Relief to provide charitable and emotional support to eligible family members of frontline healthcare workers and healthcare volunteers who lose a loved one because of COVID-19. You can visit www.braveofheartfund.com to learn more.

Where can we find resources to understand the latest health information related to COVID-19?

- World Health Organization (WHO): <http://www.who.int/emergencies/diseases/novel-coronavirus-2019>
- Centers for Disease Control and Prevention (CDC) Resources:
 - [Coronavirus Disease 2019 \(COVID-19\) | CDC](#)
 - [Frequently Asked Questions about COVID-19 Vaccination | CDC](#)

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