

Anyone who has not yet enrolled at HealthCare.gov can still enroll through a special enrollment period (SEP) if they missed their chance to sign up because they were impacted by COVID-19. This means that enrollment continues at HealthCare.gov.

Due to the COVID-19 pandemic, FEMA issued a nationwide disaster declaration in 2020, which is still in effect. This declaration created a new opportunity for people to enroll in coverage using an Exceptional Circumstances SEP, termed here as the FEMA SEP. The HealthCare.gov FEMA SEP will last until 60 days after the end of the disaster declaration.

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### What is the FEMA SEP?

The FEMA SEP provides a new enrollment opportunity for anyone who would have been eligible for another type of SEP but missed their chance to enroll because they were impacted by COVID-19. In 2021, everyone in a state using HealthCare.gov was eligible for a COVID SEP between February 15 and August 15, so any marketplace-eligible person who missed the August 15 deadline because they were impacted by COVID-19 can claim the FEMA SEP to enroll in 2021 coverage.

An individual is considered to have been impacted by COVID-19 if they were sick, a family member was sick, they faced uncertainty about their job due to COVID-19, or they experienced another type of impact from COVID-19 that prevented them from enrolling in coverage.

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### Who is eligible for the HealthCare.gov FEMA SEP?

An individual must meet three criteria to be eligible for the FEMA SEP:

1. They resided in an area during a FEMA-declared disaster or emergency (currently, all states are covered under the COVID-19 pandemic national emergency declaration);
2. They were eligible for another SEP (including the recent COVID SEP); and
3. They failed to enroll with the SEP they were eligible for because they were impacted by the FEMA-declared disaster (in this case, COVID-19).

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### How does this year's COVID SEP impact people's eligibility for the FEMA SEP?

The HealthCare.gov COVID SEP that was available from February 15 to August 15 allowed any marketplace-eligible person to enroll in coverage.

As a result, everyone who missed the August 15 deadline for the COVID SEP because they were impacted by COVID-19 is now eligible to enroll through the FEMA SEP.

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### **What is the process for getting the FEMA SEP?**

There are two ways to get this SEP.

Most people will need to call the HealthCare.gov call center. When contacting the call center, the individual should tell the representative that they were eligible for the COVID SEP but missed the August 15 deadline due being impacted by COVID-19. Then they can request that the call center grant them the “Exceptional Circumstances” FEMA SEP. You might need to direct the call center representative to the information at [www.healthcare.gov/sep-list](http://www.healthcare.gov/sep-list).

People who lost coverage at some point in 2020 or 2021 due to COVID can get the FEMA SEP without calling the marketplace call center. The HealthCare.gov application asks whether the individual lost their health coverage at any point since January 1, 2020, but missed their initial 60-day SEP window because they were impacted by COVID-19. People who attest on their application that they lost qualifying coverage since January 1 will automatically be granted the FEMA SEP through HealthCare.gov.

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### **When is coverage effective?**

The default coverage effective date for the FEMA SEP is the first day of the month following plan selection. However, a consumer can request a retroactive effective date through the HealthCare.gov call center. The earliest effective date is January 1, 2021.

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For more resources, visit [www.healthreformbeyondthebasics.org](http://www.healthreformbeyondthebasics.org).

If you encounter problems or have questions, email us at [beyondthebasics@cbpp.org](mailto:beyondthebasics@cbpp.org).