

UNITED STATES DEPARTMENT OF AGRICULTURE  
FOOD SAFETY AND INSPECTION SERVICE  
WASHINGTON, DC

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# FSIS NOTICE

39-20

8/5/20

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## LIMITED PERIOD FOR CHANGES TO EXISTING ELECTIONS UNDER THE FEDERAL FLEXIBLE SPENDING ACCOUNT

### I. PURPOSE

This notice announces a 60-day limited period when participants can make mid-year changes to elections under the Federal Flexible Spending Account Program (FSAFEDS). The limited period began on July 1, 2020 and ends on August 29, 2020. This ensures that enough time remains in the FSAFEDS plan year to appropriately effect mid-year election changes.

### II. BACKGROUND

As the Plan Administrator of the Federal Flexible Benefits Plan (FedFlex), the Office of Personnel Management is permitting FSAFEDS participants a 60-day limited period during which certain mid-year changes can be made to their existing elections. Although the COVID-19 pandemic is the reason for these additional flexibilities, participants do not need to be directly affected by COVID-19 and do not need to experience a Qualifying Life Event (QLE) or provide any documentation to make changes.

### III. FSAFEDS PERMITTED CHANGES - *INCREASE OR DECREASE ELECTION IN HCFSA, LEX HCFSA AND DCFSA*

A. During the 60-day limited period, all participants who have enrolled in a 2020 Health Care Flexible Spending Account (HCFSA), Limited Expense Health Care Flexible Spending Account (LEX HCFSA), or Dependent Care Flexible Spending Account (DCFSA) will be allowed to make a one-time change (increase or decrease) in the amount of their annual election in each Flexible Spending Account (FSA) account in which they are enrolled. In accordance with Internal Revenue Service guidance, the election change is effective prospectively, on the first pay period after approval by FSAFEDS. Accordingly, participants cannot receive a refund of allotments from pay they have already made to their FSA accounts year-to-date. In addition, participants cannot decrease their election below the amount already allotted to the FSA account OR the amount already reimbursed for eligible expenses, whichever is greater.

B. This 60-day limited period to increase or decrease the FSAFEDS election should not be confused with the existing opportunity to increase or decrease DCFSA or HCFSA elections through September 30 based on a QLE, such as cost or coverage changes in childcare or elder care. This 60-day limited period affects both HCFSAs as well as DCFSAs, does not require the participant to establish a QLE, and does not preclude a participant from submitting a QLE change before or after submitting a change during this 60-day limited period, provided the QLE is submitted no later than September 30, 2020.

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**DISTRIBUTION:** Electronic; All  
FSIS Employees

**NOTICE EXPIRES:** 8/1/21

**OPI:** OPPD

#### **IV. EXTENDED PERIOD FOR DCFSA EXPENSES**

A. Participants who made an election to a DCFSA for the plan year ending December 31, 2019 had until March 15, 2020 (the “grace period”) to incur eligible DCFSA expenses. Claims for reimbursement of these expenses were due by April 30, 2020, the deadline for submitting claims from the previous plan year. Any funds not used during the grace period are normally forfeited. An extension of this period is being allowed this year on a one-time basis.

Specifically, participants who made an election to a DCFSA in the plan year ending December 31, 2019, will now be allowed to both incur eligible expenses and claim any 2019 funds remaining in their DCFSA account until December 31, 2020. The extended claim period is automatic for qualified participants.

B. The HCFSA and LEX HCFSA carryover amount from 2020 into 2021 increased to \$550.

#### **V. EXISTING FEHB AND FEDVIP QLES**

OPM is not authorizing a new opportunity to enroll or make changes in enrollments under the Federal Employees Health Benefits (FEHB) Program or Federal Employees Dental and Vision Insurance Program (FEDVIP). Agencies may not authorize enrollment actions other than those allowed under current FEHB and FEDVIP regulations, regardless of whether they have adopted FedFlex. However, as a reminder, enrollments and changes to enrollment are still permitted due to certain QLEs. Of particular note, if an employee or family member loses existing coverage for FEHB, then the employee has the opportunity to enroll or change enrollment, beginning 31 days before the loss of coverage and ending 60 days after the loss of coverage.

#### **VI. HOW TO SUBMIT ELECTION CHANGES**

Participants will need to contact FSAFEDS by visiting <https://www.fsafeds.com/> or by calling 1-877-FSAFEDS (372-3337) to: take advantage of these FSAFEDS Program flexibilities, ask questions, and receive additional information.



Assistant Administrator  
Office of Policy and Program Development