

# COMPLIANCE ALERT

## FEDS EXTEND DEADLINES FOR CERTAIN PLAN FILINGS

May 1, 2020

### QUICK FACTS

- The IRS and the DOL recently announced limited, automatic extended deadlines for filing Forms 5500 and M-1 due to the COVID-19 National Emergency.
- The relief applies to filings due on or after April 1, 2020, and before July 15, 2020, including due dates for extensions falling within those dates.
- The limited extension window does not apply to Forms 5500 for 2019 calendar year plans, which have a standard due date of July 31, 2020.
- Calendar-year plans may still request a Form 5500 filing extension by submitting [Form 5558](#) to the IRS.

The Internal Revenue Service (IRS) recently issued [Notice 2020-23](#), which announced a limited, automatic extension of time to file Forms 5500 and certain other returns. The extension applies to Form 5500 due dates falling on or after April 1, 2020, and before July 15, 2020. The guidance is consistent with previous IRS announcements that provided similar taxpayer relief in connection with the COVID-19 pandemic.

The DOL subsequently issued [Disaster Relief Notice 2020-01](#) which confirmed that Form M-1 filings – for multiple employer welfare arrangements (MEWAs) – also get extended filing relief for the same period as the IRS Form 5500. The regular deadline for annual Form M-1 filings is March 1, with an automatic 60-day extension available if timely requested. Since that extended deadline falls within the relief window, timely extended 2019 Form M-1 annual filings are now due July 15, 2020.

The Form 5500 extension is available for plans with plan years ending in September, October, or November 2019 because the standard due dates for those plans fall within the relief window. The extension is also available to plans that had previously filed a request for extension with the IRS, if the extended due dates fall within the relief window. The extension does not apply to 2019 calendar-year plans, which have a standard Form 5500 filing due date of July 31, 2020. Since the majority of ERISA plans run on a calendar-year basis, the extended deadlines have limited application for most plans. Calendar-year plans may still request an extension by submitting [Form 5558](#) to the IRS before July 31, 2020.

### **EPIC Employee Benefits Compliance Services**

*For further information on this or any other topics, please contact your EPIC benefits consulting team.*

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