



*United States Office of Personnel Management
The Federal Government's Human Resources Agency*

Benefits Administration Letter

Number: 22-202

Date: February 2, 2022

Subject: Shutdown Furlough Guidance Update

The Office of Personnel Management (OPM) issued a final rule, [86 FR 17271](#), on April 2, 2021, to ensure the continuation of certain insurance benefits and services that could be impacted by a lapse in appropriations. The rule implements certain sections of the National Defense Authorization Act for Fiscal Year 2020 (FY20 NDAA).

Federal Employees Health Benefits (FEHB) Program and Federal Employees' Group Life Insurance (FEGLI) Program coverage continues during a shutdown furlough. The regulation provides, in part that, pursuant to section 1111 of the FY20 NDAA, continuation of coverage under the Federal Employees Dental and Vision Insurance Program (FEDVIP) and the Federal Long Term Care Insurance Program (FLTCIP) for enrollees who are furloughed or excepted from furlough and working without pay due to a lapse in appropriations as well. Coverage may not be cancelled because of nonpayment of premiums or other periodic charges due to such a lapse. The rule also clarifies that upon the end of a lapse in appropriations, FEHB, FEGLI, FEDVIP and FLTCIP premiums will be paid from retroactive pay or enrollees can make payments directly to the Carrier in the case of FLTCIP.

The FY20 NDAA provides that employees are authorized to receive retroactive pay in the case of a shutdown furlough.

The purpose of this letter is to remind agencies that Sections 875.302(c)(1), 894.405(c), and 894.406(c) of the rule require

insurance premiums to be paid from retroactive pay. Therefore, to comply with the law and the regulations, all agencies must adjust their systems to allow for premium payments to be deducted from retroactive pay.

Other guidance on furloughs can be found at <https://www.opm.gov/policy-data-oversight/pay-leave/furlough-guidance/>

If you have any questions regarding this letter, please contact Michael Kaszynski, Senior Policy Analyst at Michael.kaszynski@opm.gov.

Sincerely,

Laurie Bodenheimer
Associate Director
Healthcare and Insurance