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COBRA Continuation of Coverage

Overview

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Overview

New! The American Recovery and Reinvestment Act of 2009 (ARRA) provides Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) premium assistance for certain individuals whose qualifying event is the covered employee's involuntary termination of employment. Also, certain individuals, whose qualifying event is the covered employee's involuntary termination of employment, who initially declined to elect COBRA coverage, or elected it and subsequently discontinued it, may be afforded another opportunity to elect COBRA coverage.

ARRA applies to group health plans sponsored by private sector employers and state and local governmental employers that employ at least 20 employees. ARRA also applies to the Federal Employees Health Benefits Program. State "mini-COBRA" plans provided through health insurance issuers are also subject to the ARRA premium assistance provisions, but not the additional election period requirement (unless state insurance law or regulation adopts that requirement). For more information about ARRA, go to the "Downloads" section at the bottom of this page and select "Helpful Information about State Continuation Coverage and ARRA".

Also, links to ARRA information that is posted on the Department of Labor's (DoL) and the Department of the Treasury's Websites are provided below under "Related Links Outside CMS". Model ARRA-related notices and forms will be posted on DoL's Website.

If after reviewing the ARRA-related material on the above cited Websites, you have additional ARRA-related questions, you may direct your questions to the appropriate entity as follows:

(1) with respect to continuation coverage provided by private sector employers that employ at least 20 employees, contact the US Department of Labor, Employee Benefits Security Administration, at 1-866-444-3272;

(2) regarding the applicability of ARRA to State mini-COBRA plans, contact your State's Department of Insurance, go to "Related Links Inside CMS" select the "Health Insurance Reform for Consumers" Web page, scroll to the "Downloads" section and select "DOI Contact Information - State Status Chart"; and

(3) ARRA-related questions with respect to other plans maybe directed to the Centers for Medicare & Medicaid Services (CMS) via email to NewCobraRights@cms.hhs.gov.

This section provides information about public sector COBRA continuation of coverage. The information in this section will be of interest to state and local government employers that maintain group health plan coverage for their employees, their plan administrators and plan enrollees.

The landmark COBRA health benefit provisions became law in 1986. The law amends the Employee Retirement Income Security Act, the Internal Revenue Code and the Public Health Service Act to provide continuation of employer-sponsored group health coverage that otherwise might be terminated. CMS has advisory jurisdiction for the COBRA law as it applies to state and local government (public sector) employers and their group health plans. (See Related Link Outside CMS at the bottom of this page.) Click on "Federal Jurisdiction" on the left navigation bar for

information about contacting the federal agencies that administer private sector COBRA and the continuation of coverage provisions for federal employees.

The COBRA law generally applies to group health plans maintained by employers with 20 or more employees in the prior year. The law does not, however, apply to plans sponsored by the governments of the District of Columbia or any territory or possession of the United States, certain church-related organizations or the federal government. (The Federal Employees Health Benefit Program is subject to generally similar, although not parallel, temporary continuation of coverage provisions under the Federal Employees Health Benefits Amendments Act of 1988.)

Individuals who work for a state or local government employer, and their dependents, should be aware of their rights regarding COBRA. A good starting point is reading your summary plan description (SPD) booklet, if a state or local government employer distributes an SPD to its employees. Most of the specific rules on COBRA rights may be found there or with the person who manages your health benefits plan. Also, this Website provides detailed information about COBRA. Use the left navigation bar to access information related to a specific area of COBRA-related inquiry. Also, see "COBRA Helpful Tips" in the downloads section below.

Additionally, the "More Information" page contains a link to COBRA questions and answers. If you are unable to find the COBRA-related information you are looking for on this Website, you may e-mail us at phig@cms.hhs.gov, except for ARRA COBRA related inquiries which should be emailed to NewCobraRights@cms.hhs.gov.

Downloads

[Helpful Information About State Continuation Coverage and ARRA \(PDF, 151 KB\)](#)

New

[ARRA Section 3001 \(statutory text\) - Premium Assistance for COBRA Benefits \(PDF, 54KB\)](#)

New

[ARRA Conference Report Excerpt \(PDF, 111KB\)](#) *New*

[COBRA Helpful Tips \(PDF, 116 KB\)](#)

Related Links Inside CMS

[Health Insurance Reform for Consumers](#) *New*

Related Links Outside CMS

[ARRA COBRA Webpage - The Department of the Treasury](#) *New*

[ARRA COBRA Webpage - The Department of Labor \(DoL\)](#) *New*

[ARRA COBRA DoL Model Notices](#) *New*

[Public Sector COBRA Law](#)



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