

The Department of Labor (“DOL”) issued model COBRA notices to help employers comply with the requirements of the COBRA Subsidy signed into law by President Obama as part of the American Recovery and Reinvestment Act (the “Act”). See our Client Alert [\*\*COBRA Health Insurance Continuation Subsidy: What Employers Need to Know.\*\*](#)

The Act provides for a nine-month 65% federal subsidy of COBRA premiums for qualified individuals and an expansion of health care coverage continuation rights for individuals involuntarily terminated between September 1, 2008 and December 31, 2009. Qualified individuals **must** be provided with one of the model notices and corresponding election forms, as appropriate, **no later than April 18, 2009.**

The DOL has created the following four model notices:

**General Notice (Full Version).** Plans subject to the Federal COBRA provisions must send the General Notice to all qualified beneficiaries, not just covered employees, who experienced a qualifying event (e.g., termination of employment) at any time from September 1, 2008 through December 31, 2009, regardless of the type of qualifying event. This full version includes information on the premium reduction as well as information required in a COBRA election notice.

**General Notice (Abbreviated Version).** The abbreviated version of the General Notice includes the same information as the full version regarding the availability of the premium reduction and other rights under the Act, but does not include the COBRA coverage election information. It may be sent in lieu of the full version to individuals who experienced a qualifying event on or after September 1, 2008, have already elected COBRA coverage, and still have it.

**Notice in Connection with Extended Election Periods.** Plans subject to the Federal COBRA provisions must send the Notice in Connection with Extended Election Periods to any assistance eligible individual (or any individual who would be an assistance eligible individual if a COBRA continuation election were in effect) who:

1. Had a qualifying event at any time from September 1, 2008 through February 16, 2009; and
2. Either did **NOT** elect COBRA continuation coverage, or who elected it but subsequently discontinued COBRA.

This notice includes information on the Act’s additional election opportunity, as well as premium reduction information.

**Alternative Notice.** Insurance issuers that provide group health insurance coverage must send the Alternative Notice to persons who became eligible for continuation coverage under a State law. Continuation coverage requirements vary among States, and issuers should modify this model notice as necessary to conform it to the applicable State law. Issuers may also find the model Alternative Notice or the abbreviated model General Notice appropriate for use in certain situations.

The model notices can be accessed on the DOL's web site through the following link:  
<http://www.dol.gov/ebsa/COBRAmodeInotice.html>

For more information or assistance in complying with the new COBRA Subsidy requirements, please contact your Brown Rudnick attorney or one of the following attorneys:

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