

IAA Legislative Ledger



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Centers for Medicare and Medicaid Services (CMS) Updated COBRA Guidance

CMS Addresses Special Enrollment Periods for Individuals Eligible for or Enrolled in COBRA - COBRA Model Notices are Updated

CMS, last Friday, released guidance addressing the COBRA issue and enrollment in the Marketplace. The Department of Labor in coordination with the CMS guidance updated the COBRA Model Election Notice and the Model COBRA Continuation Coverage General Notice.

Health and Human Services (HHS) regulations provide special enrollment periods for plans in the Marketplace to individuals eligible for COBRA when: 1) such individuals initially are eligible for COBRA due to a loss of other minimum essential coverage; and 2) when such individual's COBRA coverage is exhausted. In addition, COBRA beneficiaries are able to choose plans in the Marketplace during the annual open enrollment period and if they are determined eligible for any other special enrollment periods outside of the open enrollment period.

HHS is concerned that former Model COBRA notices did not sufficiently address marketplace options for persons eligible for COBRA and COBRA beneficiaries. To alleviate misunderstandings, HHS is providing an additional special enrollment period so that persons eligible for COBRA and COBRA beneficiaries are able to select plans in the Marketplace. Affected individuals have until July

1, 2014 to contact the Marketplace call center at 1-800-318-2596 to activate the special enrollment period. They should inform the Marketplace call center that they are calling about their COBRA benefits and the Marketplace.

The CMS guidance addresses other issues, including hardship exemptions, and special enrollment periods for individuals whose individual market plans are renewing outside of open enrollment.

CMS Guidance -

<http://www.cms.gov/CCIIO/Resources/Regulations-and-Guidance/Downloads/SEP-and-hardship-FAQ-5-1-2014.pdf>

COBRA Notices -

<http://www.dol.gov/ebsa/COBRA.html> Look under the Employer section, COBRA Model General Notice, and COBRA Model Election Notice.

IAA will update our future COBRA communications to comply with CMS's guidance. If you have any questions, please contact your IAA Broker/Client Advocate.

Enjoy the rest of your day and stay healthy!

*Thank you,
Paul Kelly, President*