

Length of COBRA Coverage

The federal COBRA law generally requires that coverage extend from the date of the [qualifying event](#) for 18-36 months. As shown in the chart below, the length of coverage depends on qualifying event. **However, longer coverage periods may apply under [state mini-COBRA laws](#).**

COVID-19-Related Relief

Deadline Extensions: [Disaster Relief Notice 2021-01](#) provides participants with additional time to comply with deadlines to elect and pay for COBRA coverage, as well as notify the plan of a qualifying event. **The information below illustrates the otherwise applicable general rules for COBRA notices.**

COBRA Subsidies: The [American Rescue Plan Act](#) requires the full cost of COBRA premiums from **April 1, 2021 through Sept. 30, 2021** to be subsidized for eligible employees (and their family members) who lost or lose group health insurance due to **involuntary job loss** or **reduction in work hours**. The subsidy is funded through a tax credit to employers whose plans are subject to federal COBRA or are self-insured, to the plan for multiemployer plans, and to the insurer for other plans. Plan administrators must inform eligible individuals of the availability of COBRA premium assistance and provide notice of its expiration. [Click here](#) for more on these requirements.

Qualifying Event	Qualified Beneficiaries	Maximum Period of COBRA Coverage
Termination (for reasons other than gross misconduct) or reduction in hours of employment	Employee Spouse Dependent Child	18 months
Employee enrollment in Medicare	Spouse Dependent Child	36 months
Divorce or legal separation	Spouse Dependent Child	36 months
Death of employee	Spouse Dependent Child	36 months
Loss of "dependent child" status under the plan	Dependent Child	36 months

COBRA Coverage Extensions

There are two circumstances under which individuals entitled to an 18-month period of COBRA coverage can become entitled to an extension of that coverage:

- When one of the qualified beneficiaries is determined by the Social Security Administration (SSA) to be **disabled**;
or
- When a **second qualifying event** occurs.

Disability Extension

If one of the qualified beneficiaries in a family is disabled and meets certain requirements, all of the qualified beneficiaries in that family are entitled to an 11-month extension of the maximum period of COBRA coverage. This extension would result in a total maximum period of **29 months** of COBRA coverage.

Second Qualifying Event Extension

An 18-month extension may be available to qualified beneficiaries already receiving an 18-month maximum period of COBRA coverage (giving a total maximum period of **36 months** of COBRA coverage) if the qualified beneficiaries experience a second qualifying event that is:

- Death of the covered employee;
- Divorce or legal separation of the covered employee and spouse;
- Medicare entitlement (in certain circumstances); or
- Loss of dependent child status under the plan.

However, the second event can be a second qualifying event **only if** it would have caused the qualified beneficiary to lose coverage under the plan in the absence of the first qualifying event.

Notice Requirements for Extensions

The qualified beneficiary must notify the plan administrator of an SSA determination of disability or a second qualifying event in order to extend the period of COBRA coverage. The rules for how to give notice **should be described in the plan's SPD** and in the COBRA Election Notice.

Events That Terminate COBRA Coverage Early

A group health plan may terminate COBRA coverage earlier than the end of the maximum period for any of the following reasons:

- Premiums are not fully paid within time limits;
- The employer ceases to maintain any group health plan;
- A qualified beneficiary starts coverage under another group health plan after electing COBRA;
- A qualified beneficiary becomes entitled to Medicare benefits after electing COBRA; or
- A qualified beneficiary engages in conduct that would justify the plan in terminating coverage of a similar participant/beneficiary who is not on COBRA (i.e., fraud).

If COBRA coverage is terminated early, the plan must provide the qualified beneficiary with a [Notice of Early Termination of COBRA Coverage](#).