

## **Employee Benefits Division Policy Memorandum**

**Number: Policy Memo 83r1**

**Date Issued: November 14, 2017**

**Subject: Maximum Enrollment Period for COBRA Enrollees and Dependents of Incoming Participating Agencies and Employers**

### **PURPOSE:**

Determine the maximum COBRA coverage under NYSHIP for enrollees and dependents of incoming participating agencies and employers.

### **BACKGROUND:**

Under applicable COBRA laws, qualified beneficiaries are entitled to a maximum of 36 months of COBRA coverage. Employers are, however, permitted to offer COBRA coverage for a longer period of time. Incoming NYSHIP participating agencies (PA) and participating employers (PE) may have COBRA enrollees and dependents who have been enrolled in COBRA coverage for more than 36 months.

### **POLICY:**

NYSHIP provides COBRA coverage for only the period mandated by COBRA law; all employers participating in NYSHIP are subject to this rule. Persons covered under COBRA through an entering PA or PE are eligible for COBRA coverage mandated by law (36 months), including time already spent under COBRA through the PA's or PE's previous coverage.

Persons enrolled in COBRA through an incoming PA or PE who have exceeded the mandated period will not be allowed to enroll in COBRA coverage through NYSHIP.

Persons enrolled in COBRA through an incoming PA or PE who have been enrolled in COBRA coverage for less than 36 months will be permitted to continue COBRA coverage through the mandated 36 month period, subject to all other limitations that normally apply.