

Employee Benefits Division Policy Memorandum

Number: Policy Memo 90r2
Date Issued: November 14, 2017
Subject: COBRA Elections

PURPOSE:

Determine if NYSHIP must grant all qualified beneficiaries the right to have individual coverage under COBRA.

BACKGROUND:

Qualified beneficiaries are entitled to elect COBRA continuation coverage upon the loss of NYSHIP eligibility due to a COBRA qualifying event. If a qualified beneficiary elects continuation coverage, the coverage given must be identical to the coverage that is currently available under the plan to similarly situated active employees and their dependents. At times, COBRA enrollees who cover only one dependent request two individual coverages since the combined premium is less than that of family coverage. The Employee Benefits Division has determined how to process COBRA plan elections according to COBRA regulations as stated in the policy below.

POLICY:

Each qualified beneficiary must be offered the opportunity to make an independent election to receive COBRA continuation coverage. If the employee and qualified beneficiary(s) are covered under family coverage, they may continue family coverage when they enroll in COBRA, or each person may elect his or her own individual COBRA coverage. Each qualified beneficiary may elect continuation coverage even if the enrollee does not elect to do so.