



County Technical Assistance Service

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COBRA

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Table of Contents

COBRA	3
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COBRA

Reference Number: CTAS-1093

The Consolidated Omnibus Budget Reconciliation Act of 1986 (COBRA) applies to all employers who had 20 or more workers on a typical business day during the past calendar year and offered their employees health coverage. Although there are many provisions and regulations in COBRA, local government health plans are affected only by the continuation coverage requirements.^[1]

In order to comply with COBRA, the government employer has the obligation to notify the employee of the right to continue health care coverage for a certain period of time at the group rate upon the occurrence of a qualifying event. A qualifying event includes but is not limited to such things as termination of employment (except for gross misconduct), death of the covered employee and reduction in hours of employment. Once the qualifying event occurs, the employee or qualified beneficiaries must then be given at least 60 days to elect continuation of health care coverage. The length of time coverage can be continued depends upon the qualifying event.

It is recommended that the county employer consult with its county attorney or health plan administrator for more detailed information if needed.

[1] Public employees covered by government health plans are technically exempt from COBRA, but they are covered by parallel requirements under the Public Health Service Act.

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