



Legal Compliance

Courtesy of Meridian Benefits Consulting

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How long are Qualified Beneficiaries entitled to COBRA when Medicare enrollment is involved?

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Whether or not the Qualified Beneficiary was enrolled in Medicare either before or after a termination or reduction in hours affects the length of time that he or she is entitled to COBRA.

If the employee was enrolled in Medicare prior to his or her termination or reduction in hours (for example, retirement), the employee is entitled to 18 months of COBRA continuation coverage.

Where the spouse or dependent is covered under the plan on the day before the employee's termination or reduction in hours, the spouse and dependents are entitled to COBRA continuation coverage for the longer of:

- 18 months from the date of the employee's termination or reduction in hours; or
- 36 months from the date the employee became enrolled in Medicare

If the employee enrolls in Medicare after his or her termination or reduction in hours (for example, retirement), the employee loses COBRA continuation coverage.

A spouse or dependent covered under the plan at the time of the termination or reduction in hours is entitled to 18 months of coverage from the date of the termination or reduction in hours, even if the employee enrolls in Medicare.

Medicare entitlement of a covered employee is not considered a second qualifying event for a Qualified Beneficiary, unless the Medicare entitlement would have resulted (if COBRA continuation coverage, including COBRA continuation coverage due to the first qualifying event, is disregarded) in a loss of coverage for the Qualified Beneficiary under a health plan.