



Courtesy of Meridian Benefits Consulting

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**In addition to the actual provision of notices, what other responsibilities does the Plan Administrator have in fulfilling COBRA notification requirements?**

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The Plan Administrator is required to establish reasonable procedures for Qualified Beneficiaries to follow when providing notice to the Plan Administrator of a Qualifying Event.

A plan's procedures will generally be considered reasonable if they:

- Are described in the plan's summary plan description
- Specify who is designated to receive notices
- Specify the means Qualified Beneficiaries must use for giving notice
- Specify the required content of the notice
- A plan may require Qualified Beneficiaries to use a specific form, provided that any such form is easily available, with or without cost

Where the Plan Administrator fails to establish reasonable procedures, a Qualified Beneficiary's notice will be deemed to have been provided, whether oral or written, if the Qualified Beneficiary provides information identifying a specific event and has communicated in a manner reasonably calculated to bring the information to the parties that would customarily be considered to be responsible for the plan.

Not only does COBRA require the Plan Administrator to establish reasonable procedures, but reasonable procedures will help to minimize disputes between the employee and the Plan Administrator regarding whether appropriate notice was provided.

Under COBRA, the Plan Administrator is not required to provide late-payment notices to Qualified Beneficiaries. The Plan Administrator is only required to notify Qualified Beneficiaries that COBRA has been terminated for failure to make payment within the grace period.