

# COBRA Tips®

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## Notification Requirements When Terminating COBRA

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By Scott Haines, [OnQue Technologies, Inc.](#)

The following is an excerpt from [Questions and Answers from the COBRA Help Desk – Part I](#):

**Client:** I understand that we have 30 days to notify a former employee that his 18-month COBRA benefits are going to expire. Is that correct?

**OnQue:** That is incorrect. The Department of Labor (DOL) regulations require plan administrators to notify qualified beneficiaries in writing when terminating COBRA coverage *early* (prior to the end of the maximum coverage period).

### **Early Termination**

It is interesting to note that the regulations do not set a specific time frame for notification in the case of early termination. Instead, the regulations require the plan administrator to provide the notice “as soon as practicable” following the decision to terminate coverage. While that language may seem somewhat vague, it is necessary because it allows for circumstances in which it is not possible or “practical” to provide the notice well in advance of the COBRA termination date. Though not recommended, the administrator may even provide the notice *after* the COBRA termination date, provided the action was taken as soon as practicable following the decision to terminate coverage. (Listening to attorneys argue about what is practicable and what is not would be very interesting, indeed.)

### **Normal Termination**

Plan administrators are not required to notify qualified beneficiaries about the normal expiration of their COBRA coverage (coverage that has gone full-term). However, if a conversion option is available, COBRA qualified beneficiaries must be notified of their right to elect that option within 180 days prior to the expiration of COBRA continuation coverage. The best way to handle this is to provide a notice that reminds the qualified beneficiary that his or her COBRA coverage is about to end. That notice should include an explanation of conversion rights.

## Related COBRA Tips

- [Do You Know When It's OK to Terminate COBRA Coverage Early?](#)
- [You May Need To Offer Conversion Coverage When COBRA Ends](#)

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