

Publications

COBRA Proposed Regulations Contain Helpful Guidance in the Form of Model Notices But Impose New Notice Requirements

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SERVICES

Six years after soliciting comments from the public concerning the need to clarify the disclosure requirements under the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA), as amended, the Department of Labor, through the Employee Benefits Security Administration (EBSA), has issued proposed regulations that clarify existing notice requirements, but also would impose new requirements. 68 Fed. Reg. 31832 (May 28, 2003).

The proposed regulations contain two proposed model notices- (1) a general notice that may be used by plan administrators to inform participants and beneficiaries upon enrollment in a group health plan about their rights to COBRA benefits, and (2) an election notice that a participant or beneficiary may use to exercise his right to elect to receive COBRA benefits.

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