

105TH CONGRESS
2D SESSION

H. R. 4835

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 14, 1998

Mr. LAMPSON (for himself, Mr. ROMERO-BARCELÓ, and Mr. FROST) introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committees on Commerce, and Education and the Workforce, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Employee Retirement Income Security Act of 1974, the Public Health Service Act, and the Internal Revenue Code of 1986 to extend COBRA continuation coverage for surviving spouses.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “COBRA Extension Act
5 of 1998”.

1 **SEC. 2. EXTENSION OF COBRA CONTINUATION COVERAGE**
2 **FOR SURVIVING SPOUSES.**

3 (a) ERISA AMENDMENT.—Section 602(2)(A) of the
4 Employee Retirement Income Security Act of 1974 (29
5 U.S.C. 1162(2)(A)) is amended by inserting after clause
6 (v) the following new clause:

7 “(vi) GENERAL RULE FOR SURVIVING
8 SPOUSES.—In the case of a qualifying
9 event described in section 603(1), the date
10 on which the surviving spouse becomes en-
11 titled to benefits under title XVIII of the
12 Social Security Act.”.

13 (b) PHSA AMENDMENT.—Section 2202(2)(A) of the
14 Public Health Service Act (42 U.S.C. 300bb–2(2)(A)) is
15 amended by inserting after clause (iv) the following new
16 clause:

17 “(v) GENERAL RULE FOR SURVIVING
18 SPOUSES.—In the case of a qualifying
19 event described in section 2203(1), the
20 date on which the surviving spouse be-
21 comes entitled to benefits under title XVIII
22 of the Social Security Act.”.

23 (c) INTERNAL REVENUE CODE AMENDMENT.—Sec-
24 tion 4980B(f)(2)(B)(i) of the Internal Revenue Code of
25 1986 (relating to period of continuation coverage) is

1 amended by inserting after subclause (V) the following
2 new subclause:

3 “(VI) GENERAL RULE FOR SUR-
4 VIVING SPOUSES.—In the case of a
5 qualifying event described in section
6 4980B(f)(3)(A), the date on which the
7 surviving spouse becomes entitled to
8 benefits under title XVIII of the So-
9 cial Security Act.”.

10 (d) EFFECTIVE DATES.—The amendments made by
11 this section shall apply to qualifying events occurring be-
12 fore or after the date of the enactment of this Act.

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