

106TH CONGRESS  
1ST SESSION

# H. R. 2227

To amend the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act to permit extension of COBRA continuation coverage for individuals age 55 or older.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 15, 1999

Mr. STARK introduced the following bill; which was referred to the Committee on Education and the Workforce, and in addition to the Committees on Commerce, and Ways and Means, 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

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## A BILL

To amend the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act to permit extension of COBRA continuation coverage for individuals age 55 or older.

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. EXTENSION OF COBRA CONTINUATION COV-**  
4 **ERAGE FOR INDIVIDUALS AGE 55 OR OLDER.**

5 This Act may be cited as the “COBRA Extension Act  
6 for 55 to 65 Year Olds”.

1 (a) INTERNAL REVENUE CODE AMENDMENTS.—Sec-  
2 tion 4980B(f)(2) of the Internal Revenue Code of 1986  
3 is amended—

4 (1) in subparagraph (B)(i), by inserting “.—  
5 Subject to subparagraph (F)(i)—” after “PERIOD”;

6 (2) in subparagraph (C)(i), by inserting “sub-  
7 ject to subparagraph (F)(ii),” after “(i)”; and

8 (3) by adding at the end the following new sub-  
9 paragraph:

10 “(F) EXTENSION OF COVERAGE FOR INDIV-  
11 IDUALS AGE 55 OR OLDER.—In the case of an  
12 individual who attains the age of 55 on the date  
13 the period of extended coverage under this sec-  
14 tion would otherwise end by virtue of the appli-  
15 cation of a durational limitation in subpara-  
16 graph (B)(i)—

17 “(i) such durational limitations shall  
18 no longer apply to the individual; and

19 “(ii) during the period of any ex-  
20 tended coverage solely by reason of the ap-  
21 plication of clause (i), in applying subpara-  
22 graph (C)(i) any reference in such sub-  
23 paragraph to ‘102 percent’ is deemed a  
24 reference to ‘125 percent’.”.

1 (b) ERISA AMENDMENTS.—Section 602 of the Em-  
 2 ployee Retirement Income Security Act of 1974 (29  
 3 U.S.C. 1162) is amended—

4 (1) in paragraph (2)(A), by inserting “Subject  
 5 to paragraph (6)(A)—” after “PERIOD.—”;

6 (2) in paragraph (3)(A), by inserting “subject  
 7 to paragraph (6)(B),” after “(A)”; and

8 (3) by adding at the end the following new  
 9 paragraph:

10 “(6) EXTENSION OF COVERAGE FOR INDIVID-  
 11 UALS AGE 55 OR OLDER.—In the case of an indi-  
 12 vidual who attains the age of 55 on the date the pe-  
 13 riod of extended coverage under this section would  
 14 otherwise end by virtue of the application of a  
 15 durational limitation in paragraph (2)(A)—

16 “(A) such durational limitations shall no  
 17 longer apply to the individual; and

18 “(B) during the period of any extended  
 19 coverage solely by reason of the application of  
 20 subparagraph (A), in applying paragraph  
 21 (3)(A) any reference in such paragraph to ‘102  
 22 percent’ is deemed a reference to ‘125 per-  
 23 cent’.”.

24 (c) PHSA AMENDMENTS.—Section 2202 of the Pub-  
 25 lic Health Service Act (42 U.S.C. 300bb–2) is amended—

1 (1) in paragraph (2)(A), by inserting “Subject  
2 to paragraph (6)(A)—” after “PERIOD.—”;

3 (2) in paragraph (3)(A), by inserting “subject  
4 to paragraph (6)(B),” after “(A)”; and

5 (3) by adding at the end the following new  
6 paragraph:

7 “(6) EXTENSION OF COVERAGE FOR INDIVID-  
8 UALS AGE 55 OR OLDER.—In the case of an indi-  
9 vidual who attains the age of 55 on the date the pe-  
10 riod of extended coverage under this section would  
11 otherwise end by virtue of the application of a  
12 durational limitation in paragraph (2)(A)—

13 “(A) such durational limitations shall no  
14 longer apply to the individual; and

15 “(B) during the period of any extended  
16 coverage solely by reason of the application of  
17 subparagraph (A), in applying paragraph  
18 (3)(A) any reference in such paragraph to ‘102  
19 percent’ is deemed a reference to ‘125 per-  
20 cent’.”.

21 (d) EFFECTIVE DATE.—The amendments made by  
22 this section apply with respect to plan years beginning on  
23 or after January 1, 2000.

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