

111TH CONGRESS
1ST SESSION

H. R. 3930

To extend for 6 months the maximum COBRA continuation coverage period for individuals who were involuntarily terminated between April 1, 2009, and December 31, 2009, and to amend the American Reinvestment and Recovery Act of 2009 to extend the eligibility period and maximum assistance period for COBRA premium assistance under such Act.

IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 2009

Mr. SESTAK introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Energy and 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

A BILL

To extend for 6 months the maximum COBRA continuation coverage period for individuals who were involuntarily terminated between April 1, 2009, and December 31, 2009, and to amend the American Reinvestment and Recovery Act of 2009 to extend the eligibility period and maximum assistance period for COBRA premium assistance under such Act.

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

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Extended COBRA
3 Continuation Protection Act of 2009”.

4 **SEC. 2. 6-MONTH EXTENSION OF COBRA CONTINUATION**
5 **COVERAGE FOR INDIVIDUALS INVOLUN-**
6 **TARILY TERMINATED BETWEEN APRIL 1, 2008,**
7 **AND DECEMBER 31, 2008..**

8 (a) IN GENERAL.—In applying a COBRA continu-
9 ation provision (as defined in section 2791(d)(4) of the
10 Public Health Service Act (42 U.S.C. 300gg–91(d)(4)))
11 to an individual whose COBRA continuation coverage was
12 a consequence of a termination (or reduction of hours) of
13 employment occurring on or after April 1, 2008, and be-
14 fore January 1, 2010, if the maximum required period of
15 COBRA continuation coverage is 18 months, such period
16 is extended to 24 months.

17 (b) TRANSITIONAL RULE.—

18 (1) IN GENERAL.—In the case of an individual
19 described in paragraph (2), under rules established
20 jointly by the Secretaries of Health and Human
21 Services, Treasury, and Labor, the individual may
22 elect to continue and extend such coverage under the
23 provisions of subsection (a) through an election simi-
24 lar to the election permitted under section
25 3001(a)(4)(A) of division B of the American Rein-
26 vestment and Recovery Act of 2009. In no case shall

1 the extended period of continuation under this para-
 2 graph exceed 6 months.

3 (2) INDIVIDUAL DESCRIBED.—An individual de-
 4 scribed in this paragraph is an individual whose
 5 COBRA continuation coverage —

6 (A) is described in subsection (a);

7 (B) expired by virtue of reaching the max-
 8 imum required period of continuation coverage
 9 before the date of the enactment of this Act;
 10 and

11 (C) would, but for the application of such
 12 maximum required period of such continuation
 13 coverage, had continued after such date.

14 **SEC. 3. EXTENSION OF COBRA PREMIUM ASSISTANCE**
 15 **UNDER ARRA.**

16 (a) EXTENSION OF PERIOD FOR INDIVIDUALS TO
 17 QUALIFY AS ASSISTANCE ELIGIBLE INDIVIDUALS.—Sub-
 18 section (a)(3)(A) of section 3001 of division B of the
 19 American Recovery and Reinvestment Act of 2009 (Public
 20 Law 111–5) is amended by striking “December 31, 2009”
 21 and inserting “June 30, 2010”.

22 (b) EXTENSION OF MAXIMUM PERIOD OF COBRA
 23 PREMIUM ASSISTANCE.—Subsection (a)(2)(A)(ii) of such
 24 section is amended—

(c) EFFECTIVE DATE.—The amendments made by this section shall be effective as if included in the enactment of the American Recovery and Reinvestment Act of 2009 (Public Law 111–5).

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