

ARPA COBRA subsidy notices: Which ones to give, to whom, and when?

Which notice?	Who gets it?	When do they get it?	What do they do with it?
Model ARP General Notice and COBRA Continuation Coverage Election Notice , plus the Summary of the COBRA Premium Assistance Provisions under the American Rescue Plan Act of 2021	Any individual whose qualifying event occurred or occurs <i>on or after</i> April 1, 2021 and but not later than Sept. 30, 2021	Within the normal COBRA timeframes (i.e., 44 days after the qualifying event) ¹	The individual, including any assistance-eligible individual ² , uses the Model ARP General Notice and COBRA Continuation Coverage Election Notice to elect COBRA coverage, including (for assistance-eligible individuals, subsidized COBRA coverage).
Model COBRA Continuation Coverage Notice in Connection with Extended Election Periods , plus the Summary of the COBRA Premium Assistance Provisions under the American Rescue Plan Act of 2021	Any assistance-eligible individual ² whose qualifying event occurred <i>prior</i> to April 1, 2021	By May 31, 2021	<p>If the assistance-eligible individual is <i>currently enrolled in COBRA coverage</i> but the employer/plan sponsor hasn't identified the individual as subsidy-eligible, the individual uses the form at the end of the Summary of the COBRA Premium Assistance Provisions under the American Rescue Plan Act of 2021 to request treatment as eligible.</p> <p>If the assistance-eligible individual is <i>not</i> currently enrolled in COBRA coverage, the individual uses the Model COBRA Continuation Coverage Notice in Connection with Extended Election Periods to elect COBRA in order to claim the subsidies.</p>
Notice of Expiration of Period of Premium Assistance	Any assistance-eligible individual receiving subsidies if the subsidies are about to terminate for reasons other than eligibility for other coverage	No more than 45 days and no fewer than 15 days before subsidies will terminate	The notice apprises the individual that the COBRA subsidies are about to terminate and describes other potential coverage options, including Affordable Care Act marketplace.

¹ An insured plan sponsor has 30 days to notify the plan administrator, which has 14 days to notify the affected individual. A self-insured plan sponsor, where it is also the plan administrator, has 44 days to notify the affected individual.

² An assistance-eligible individual, or "AEI," is an individual who is eligible for COBRA subsidies. An AEI must meet all of the following requirements:

- Lost employment-based group health coverage (other than solely under a health flexible spending account (FSA)) due to an involuntary or voluntary reduction in hours, or an involuntary termination of employment, for reasons other than gross misconduct
- Is not eligible for Medicare, a qualifying small employer health reimbursement arrangement, or other group health insurance (other than merely a dental, vision or health FSA plan)
- The individual's maximum period of COBRA coverage extends, or would extend had it been elected (or if elected and dropped, had not been dropped) into at least April 2021, *and*
- The individual has not yet reached the end of the maximum COBRA coverage period, measured from the qualifying event.