



COMMONWEALTH OF MASSACHUSETTS
Office of Consumer Affairs and Business Regulation
DIVISION OF INSURANCE

One South Station • Boston, MA 02110-2208
(617) 521-7794 • FAX (617) 521-7475
TTY/TDD (617) 521-7490
<http://www.mass.gov/doi>

DEVAL L. PATRICK
GOVERNOR

TIMOTHY P. MURRAY
LIEUTENANT GOVERNOR

GREGORY BIALECKI
SECRETARY OF HOUSING AND
ECONOMIC DEVELOPMENT

BARBARA ANTHONY
UNDERSECRETARY

NONNIE S. BURNES
COMMISSIONER OF INSURANCE

BULLETIN 2009-09

TO: All Commercial Health Insurers, Blue Cross and Blue Shield of
Massachusetts, Inc. and Health Maintenance Organizations

FROM: Nonnie S. Burnes, Commissioner of Insurance

DATE: July 21, 2009

RE: Amendments to Laws Mandating Continuation Coverage for Eligible Employees
Covered under Small Group Health Benefit Plans

This Bulletin highlights a recent change to Massachusetts law under Chapter 30 of the Acts of 2009 regarding an extended election period for qualified beneficiaries who are eligible for COBRA premium assistance under small group continuation coverage. This law became effective on an emergency basis on July 2, 2009.

The law requires that commercial health insurers, Blue Cross and Blue Shield of Massachusetts, Inc. and health maintenance organizations offer an extended election period to any individual who:

- (1) was eligible for the carrier's small group continuation coverage at any time between September 1, 2008 and February 16, 2009;
- (2) did not elect such continuation coverage during this period; and
- (3) would be an assistance-eligible individual under the American Recovery and Reinvestment Act if such election were in effect.

Beginning on July 2nd and ending 60 days after the carrier issues written notice to the individual of such continuation coverage, eligible individuals may elect continuation coverage. An individual's continuation coverage will begin on the first coverage period after the election of such coverage.

Bulletin 2009-09
July 21, 2009
Page 2

Carriers must send written notice by August 31, 2009, to each qualified beneficiary advising them of the extended election period and that the election period will last 60 days from the postmark on the letter transmitting the notice. Carriers may require that eligible small businesses, or intermediaries, issue such notices.

If you have any questions regarding this bulletin, please call Nancy Schwartz at (617) 521-7347.