

July 27, 2004

Technical Corrections to the Final COBRA Regulations

On May 26, 2004, the Department of Labor (“DOL”) published final regulations (the “Final Regulations”) implementing updated notice and disclosure requirements under the Consolidated Omnibus Budget Reconciliation Act of 1985 (“COBRA”). We previously described these requirements in our *Management Alert* issued on June 4, 2004. (To view this *Management Alert*, please [click here](#).)

On June 23, 2004, the DOL issued technical corrections to the Final Regulations including a correction to the Model COBRA Continuation Coverage Election Notice (the “Model Notice”) that the DOL included in the Final Regulations.

The Model Notice provides that coverage will end before the maximum period if “a **covered employee** becomes entitled to Medicare benefits (under part A, Part B, or both) after electing continuation coverage.” The technical correction issued June 23, 2004, clarifies that the word “covered employee” in this provision should read “**qualified beneficiary**.”

Plan sponsors who are using the DOL Model Notice or who intend to use the DOL Model Notice should make this change.