

COMPARISON OF STATE-LEVEL CONTINUATION COVERAGE LAWS

The chart describes laws that have been enacted at the state level with respect to continuation of coverage requirements for employers with fewer than twenty employees. The first column denotes eligibility requirements, the second the amount of prior coverage required in order to be eligible, the third denotes the number of days an employee has to apply for coverage, the fourth denotes the maximum premium that can be charged, and the last whether or not conversion coverage is available. Conversion coverage is individual health insurance coverage that may be offered to an individual if group health insurance coverage is lost.

State	Eligibility Requirements	Length of Coverage	Amount of Prior Group Coverage Required	Number of Days to Apply After Becoming Eligible	Maximum Premium	Is Conversion Coverage Available?
Alabama	Alabama does not have a state continuation coverage requirement					No
Alaska	Alaska does not have a state continuation coverage requirement					No
Arizona	Arizona does not have a state continuation coverage requirement					Yes
Arkansas	2-19 employee group	120 days	3 months	10 days	100%	Yes, can be used instead of or after continuation coverage
California	2-19 employee group	18-36 months	1 day	60 days	110%	Yes
Colorado	any employee group	18 months	6 months	30 days	100%	Yes, after exhausting continuation coverage
Connecticut	Covered under any employer or self-employed plan	2 years / 3 years for spouse or dependent who lost coverage due to death or divorce	1 day	60 days	102%	Yes
Delaware	Delaware does not have a state continuation coverage requirement					No
Florida	2-19 employee group	18- 29 months (11 additional months if a beneficiary becomes disabled during the 18 months)	1 day	30 days	115%, up to 150% for additional 11 months of coverage	Yes, after exhausting continuation coverage
Georgia	2-19 employee group	3 months	6 months	Before next premium is due	102%	Yes
Hawaii	Hawaii does not have a state continuation coverage requirement					No
Idaho	Idaho does not have a state continuation coverage requirement					Yes

State	Eligibility Requirements	Length of Coverage	Amount of Prior Group Coverage Required	Number of Days to Apply After Becoming Eligible	Maximum Premium	Is Conversion Coverage Available?
Illinois	< 20 employee group	9 months	3 months	63 days	100%	Yes
Indiana	Indiana does not have a state continuation coverage requirement					Yes, after exhausting COBRA
Iowa	< 20 employee group	9 months	3 months	31 days	100%	Yes, after exhausting continuation coverage
Kansas	< 20 employee group	6 months	3 months	31 days	100%	Yes, after exhausting continuation coverage
Kentucky	< 20 employee group	18 months	3 months	31 days	102%	Yes
Louisiana	< 20 employee group	12 months	3 months	31 days	100%	No
Maine	< 20 employee group and individuals temporarily laid-off or those with a work-related injury or illness	12 months	1 day	31 days	102%	No
Maryland	< 20 employee group and must have been involuntarily terminated	18 months	3 months	45 days	102%	Yes, can be used instead of or after continuation coverage
Massachusetts	2-19 employee group	18 months/ 36 months years for spouse or dependent who lost coverage due to death or divorce	1 day	60 days	102% of premium	Yes
Michigan	Michigan does not have a state continuation coverage requirement					Yes, after exhausting COBRA
Minnesota	< 20 employee group	18 months	1 day	60 days	102%	Yes, after exhausting continuation coverage
Mississippi	< 20 employee group	12 months	3 months	30 days	100%	No
Missouri	< 20 employee group	9 months	3 months	30 days	100%	Yes
Montana	Montana does not have a state continuation coverage requirement					Yes
Nebraska	2-19 co-workers	6 months/ 12 months for surviving spouse or dependent	No provision	10 days/ 31 days for surviving spouse or dependent	102%	No

State	Eligibility Requirements	Length of Coverage	Amount of Prior Group Coverage Required	Number of Days to Apply After Becoming Eligible	Maximum Premium	Is Conversion Coverage Available?
Nevada	< 20 employee group and left job voluntarily	18 months	12 months	60 days	125%	Yes, instead of continuation coverage
New Hampshire	2-19 employee group	18 months	6 months	60 days	102%	No
New Jersey	2-50 employee group	12 months	1 day	30 days	102%	No
New Mexico	2-19 employee group	6 months	No Provision	30 days	100%	Yes, after exhausting continuation coverage
New York	< 20 employee group	18-36 months	1 day	60 days	102%	Yes, instead of or after continuation coverage
North Carolina	2-19 employee group	18 months	3 months	Set by employer/ before the next premium is due	102%	Yes, after exhausting continuation coverage
North Dakota	< 20 employee group	39 weeks	3 months	10 days	102%	Yes, after exhausting continuation coverage
Ohio	10-19 employee group	6 months	3 months	31 days or 10 days after plan terminates if employer did not notify employee of continuation rights	100%	Yes, after exhausting continuation coverage
Oklahoma	<20 employee group	30 days	No provision	No provision	No provision	Yes
Oregon	<20 employee group	6 months	3 months	10 days	102%	No
Pennsylvania	Pennsylvania does not have a state continuation coverage requirement					Yes, instead of or after COBRA
Rhode Island	Individual was laid off involuntarily, the company closed, the employer permanently reduced the workforce or a spouse or dependent lost coverage due to death	18 months	No provision	30 days	100%	Yes, if federally eligible may choose between conversion or individual policy

State	Eligibility Requirements	Length of Coverage	Amount of Prior Group Coverage Required	Number of Days to Apply After Becoming Eligible	Maximum Premium	Is Conversion Coverage Available?
South Carolina	2-19 employee group or not eligible for COBRA	6 months	6 months	60 days	102%	Yes, if lost coverage due to divorce
South Dakota	2-19 employee group	18 months	6 months	60 days	102%	Yes, after exhausting continuation coverage
Tennessee	>2 employee group	3 months/ 15 months for spouse or dependent who lost coverage due to divorce or death	3 months	30 days	100%	Yes, after exhausting continuation coverage
Texas	< 20 employee group	6 months	3 months	31 days	102%	No
Utah	< 20 employee group	6 months	6 months	30 days	102%	Yes, may choose between continuation and conversion coverage
Vermont	< 20 employee group	6 months	3 months	30 days/ 60 days for surviving spouse or dependents	100%	No
Virginia	Virginia does not have a state continuation coverage requirement.					Yes, instead of or after COBRA
Washington	Every insurer shall offer the employer an option to include a provision granting employees who becomes ineligible for coverage under the group policy, the right to continue the group benefits for a period of time and at a rate agreed upon.					No
West Virginia	<20 employee group coverage for involuntarily laid off individuals	18 months	1 day	No specific time period specified	100%	Yes, instead of or after COBRA
Wisconsin	< 20 employee group	18 months	3 months	30 days	102%	Yes
Wyoming	2-19 employee group	12 months	3 months	31 days	102%	Yes, must exhaust or continuation coverage