

Continuation of Benefits

Comparison of Maryland and Federal Provisions

Qualifying Events (QE)	Termination of Employment		Death of Covered Employee		Divorce		Cessation of Dependency for Child
Applicable Cites	IN §15-409 COMAR 31.11.04	COBRA*	IN §15-407 COMAR 31.11.03	COBRA*	IN §15-408 COMAR 31.11.02	COBRA*	COBRA*
<u>Qualification - coverage requirement prior to QE</u> <ul style="list-style-type: none"> insured employee 	3 months with same employer (applies if employee is terminated involuntarily, other than for cause)	covered day before QE (applies if employee is terminated for other than gross misconduct or coverage is lost due to reduction in work hours)	3 months with same employer	covered day before QE	no minimum	covered day before QE	covered day before QE
<ul style="list-style-type: none"> spouse 	No minimum	covered day before QE; has independent right to elect continuation	30 days as spouse of insured employee	covered day before QE; has independent right to elect continuation	30 days as spouse of insured employee	covered day before QE; has independent right to elect continuation	covered day before QE; has independent right to elect continuation
<ul style="list-style-type: none"> dependent child 	covered immediately before QE	covered day before QE; has independent right to elect continuation	child of employee covered immediately before QE or born after QE	covered day before QE; has independent right to elect continuation	child of employee covered immediately before QE or born after QE	covered day before QE; has independent right to elect continuation	covered day before QE; has independent right to elect continuation
Qualified Secondary Beneficiary (QSB) Definition	not applicable	not applicable	includes spouse and dependent child	not applicable	includes ex-spouse and dependent child	not applicable	not applicable
Length of Continuation	18 months	18 months	18 months	3 years	terminates only for causes listed	3 years	3 years

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Permissible Reasons to Terminate Coverage (continued)							
c) becomes eligible for other group coverage	Yes	Permitted only if person is actually covered and no pre-existing condition applies under new group coverage	Yes	Permitted only if person is actually covered and no pre-existing condition applies under new group coverage	Yes	Permitted only if person is actually covered and no pre-existing condition applies under new group coverage	Permitted only if person is actually covered and no pre-existing condition applies under new group coverage
d) becomes covered under a similar non-group contract	Yes	No	Yes	No	Yes	No	No
e) covered person cancels coverage	Yes	Yes	Yes	Yes	Yes	Yes	Yes
f) employer no longer offers group coverage	Yes	Yes	Yes	Yes	Yes (may also terminate coverage of divorced spouse if employee is no longer covered under group plan)	Yes	Yes
g) dependent child no longer qualifies	Yes	No	Yes	No	Yes	No	No
h) QSB ex-spouse remarries	No	No	No	No	Yes	No	not applicable

