

# LEGAL UPDATE

## Two New Model COBRA Notices Available from the DOL

The Department of Labor (DOL), through its Employee Benefits Security Administration (EBSA), has released updated versions of its [model COBRA General Notice](#) and model [COBRA Election Notice](#), both with an expiration date of **Jan. 31, 2023**.

To administer coverage under the Consolidated Omnibus Budget Reconciliation Act (COBRA), employers and plan administrators are required to provide specific notices and disclosures to covered individuals and qualified beneficiaries.

The most significant COBRA notice requirements for plan administrators are the general notice and the election notice:

- Plan administrators must provide covered individuals with the **general notice** within 90 days after their group health plan coverage begins.
- Plan administrators must provide qualified beneficiaries with an **election notice** within 14 days after receiving notice of a qualifying event (44 days under certain circumstances).

### Model DOL Notices

The DOL has a model general notice and a model election notice for employers to use. Employers are not required to use these model notices; however, using them will constitute a good faith effort to comply with the requirements for these notices.

### COBRA Notice Requirements

- COBRA imposes a variety of notice and disclosure requirements on employers, plan administrators and qualified beneficiaries.
- The two most significant notice requirements for plan administrators are the general notice and the election notice.
- The DOL provides a model general notice and a model election notice that employers may use.

*Using the DOL's model notices is considered a good faith effort to comply with the COBRA general and election notice requirements.*

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Provided to you by **Brown & Brown Benefit Advisors**

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