

INSURANCE LAW ALERT

JUNE 2009

Appeal Application for COBRA Premium Subsidy Denial

On May 22, 2009, the U.S. Department of Labor (“DOL”) finalized an 11-page application for individuals to use to appeal an employer’s denial of the COBRA premium subsidy, and has posted information about the application process on the DOL website. The DOL’s application to appeal the COBRA premium subsidy denial asks the applicant ten questions to further determine subsidy eligibility. The Center for Medicare and Medicaid Services (“CMS”), has proposed a similar application for non-ERISA plans that apparently is not yet finalized. *See* 74 *Fed. Reg.* 20483, §1860.

Please refer to the *Federal Register* with respect to the CMS process for non-ERISA plans and to the DOL website for copies of the appeal application for COBRA premium subsidy denial. ■

For more information about this issue of the Insurance Law Alert, please contact:

Cynthia J. Borrelli, Esq. ■ cborrelli@bressler.com ■ 973.514.1200

The information contained in this Client Alert is for general informational purposes only and is neither presented or intended to constitute legal advice or a legal opinion as to any particular matter. The reader should not act on the basis of any information contained herein without consulting first with his or her legal or other professional advisor with respect to the advisability of any specific course of action and the applicable law.

The views presented herein reflect the views of the individual author(s). They do not necessarily reflect the views of Bressler, Amery & Ross, P.C. or any of its other attorneys or clients.

©2009 Bressler, Amery & Ross, P.C.
All rights reserved.

ATTORNEY ADVERTISING

www.bressler.com