

Ohio's Statutory Requirements Regarding Continuation of Employee Health Care Coverage

Ohio law provides that an employee has a right to continue coverage under his or her employer's group health plan upon involuntary termination of employment if certain requirements are met. All sizes of employers should be knowledgeable about Ohio's continuation insurance laws, those working for employers with less than 20 employees must be particularly cognizant of the requirements. For those employers, Ohio's continuation coverage is the only continuation coverage available to their employee.

An employee is eligible for continuation coverage if he or she satisfies the following requirements:

- The employee must have been insured under the employer's group health plan during the entire three months preceding his or her termination;
- The employee must be eligible for state unemployment compensation benefits as a result of the termination of employment;
- The employee is not eligible for Medicare;
- The employee is not enrolled in or eligible for other group health insurance or COBRA; and
- The employee must timely request continuation coverage.

If an employee satisfies these requirements, then the employer must offer the right to continue coverage to the employee under its group health plan (even after the employee loses eligibility as a member of that group).

Some important notes:

- Coverage is only available for a maximum of 6 months.
- Continuation coverage is only required to cover major medical insurance (hospital, surgical and medical insurance) and is may include dental, vision care, prescription drugs, or any other benefits under a group plan.
- Unlike COBRA, payment is due from the employee to the employer in advance of each month of continuation coverage.
- Continuation coverage ceases if the employee fails to make a timely premium payment to the employer – there is no grace period.

This notice is only intended to highlight the major requirements for the right to receive continuation coverage and is not intended to offer legal guidance or advice regarding how an employer can comply with Ohio's laws. There are many other significant requirements relating to continuation insurance not covered in this notice. Employers are advised to consult with their tax professionals and attorneys to ensure compliance with these state laws. Employers may also call the Ohio Department of Insurance at (614) 644-2658 or log on to www.ohioinsurance.gov for further information.