

107TH CONGRESS
1ST SESSION

H. R. 1663

To amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to extend the basic period for health care continuation from 18 months to 5 years.

IN THE HOUSE OF REPRESENTATIVES

MAY 1, 2001

Mr. MOAKLEY introduced the following bill; which was referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and the Workforce, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Public Health Service Act, the Employee Retirement Income Security Act of 1974, and the Internal Revenue Code of 1986 to extend the basic period for health care continuation from 18 months to 5 years.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Health Insurance Con-
5 tinuation Improvement Act of 2001”.

1 **SEC. 2. EXTENSION OF BASIC COBRA-CONTINUATION PE-**
2 **RIOD FROM 18 MONTHS TO 5 YEARS.**

3 (a) AMENDMENTS TO ERISA.—Section 602 of the
4 Employee Retirement Income Security Act of 1974 (29
5 U.S.C. 1162) is amended—

6 (1) by amending clause (i) of paragraph (2)(A)
7 to read as follows:

8 “(i) GENERAL RULE.—In the case of
9 a qualifying event not described in section
10 603(6), the date which is 60 months after
11 the date of the qualifying event.”;

12 (2) in paragraph (2)(A)—

13 (A) by striking clause (ii);

14 (B) by striking clause (iv) and all that fol-
15 lows;

16 (C) by redesignating clause (iii) as clause
17 (ii); and

18 (D) in clause (ii), as so redesignated, by
19 striking “36 months after the date of the death
20 of the covered employee” and inserting “the
21 later of (I) 36 months after the date of the
22 death of the covered employee, or (II) 60
23 months after the date of the qualifying event”;
24 and

25 (3) by striking the last sentence in paragraph
26 (3).

1 (b) AMENDMENTS TO PHSA.—Section 2202 of the
 2 Public Health Service Act 429 U.S.C. 300bb-2) is
 3 amended—

4 (1) by amending subparagraph (A) of para-
 5 graph (2)(A) to read as follows:

6 “(A) MAXIMUM REQUIRED PERIOD.—The
 7 date which is 60 months after the date of the
 8 qualifying event.”; and

9 (2) by striking the last sentence of paragraph
 10 (3).

11 (c) AMENDMENTS TO IRC.—Section 4980B(f)(2) of
 12 the Internal Revenue Code of 1986 is amended—

13 (1) by amending subclause (I) of subparagraph
 14 (B)(i) to read as follows:

15 “(I) GENERAL RULE.—In the
 16 case of a qualifying event not de-
 17 scribed in paragraph (3)(F), the date
 18 which is 60 months after the date of
 19 the qualifying event.”;

20 (2) in subparagraph (B)(i)—

21 (A) by striking subclause (II);

22 (B) by striking subclauses (IV) and all
 23 that follows;

24 (C) by redesignating subclause (III) as
 25 subclause (II); and

1 (D) in subclause (II), as so redesignated,
2 by inserting before the period at the end the
3 following: “or, in such case and if later, 60
4 months after the date of the qualifying event”;
5 and

6 (3) by striking the last sentence in subpara-
7 graph (C).

8 (d) EFFECTIVE DATE.—The amendments made by
9 this section shall apply to qualifying events occurring after
10 the date of the enactment of this Act.

○