

**CHAPTER 33—S.F.No. 1904**

*An act relating to insurance; regulating continuation coverage; conforming Minnesota law to the requirements necessary for assistance eligible individuals who are not enrolled in continuation coverage to receive a federal premium subsidy under the American Recovery and Reinvestment Act of 2009; amending Minnesota Statutes 2008, section 62A.17, by adding a subdivision.*

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. Minnesota Statutes 2008, section 62A.17, is amended by adding a subdivision to read:

Subd. 5a. **Limited extension of continuation election period.** (a) An individual who did not have an election of continuation coverage under subdivision 1 in effect on February 17, 2009, but who would be an assistance eligible individual as defined in section 3001(a)(3) of the American Recovery and Reinvestment Act of 2009, if such an election were in effect, may elect the continuation coverage during the period beginning February 17, 2009, and ending 60 days after the date on which a notification which meets the notice requirements of the American Recovery and Reinvestment Act is provided to the individual.

(b) Any continuation coverage elected during the extended election period in paragraph (a) shall:

(1) commence with the first period of coverage beginning on or after February 17, 2009; and

(2) not extend beyond 18 months from the earliest date continuation could have been effective if the coverage had been elected when the individual was initially eligible for continuation coverage under this section.

(c) With respect to an assistance eligible individual who elects continuation coverage under paragraph (a), the period:

(1) beginning on the date of the qualifying event; and

(2) ending with the beginning of the period described in paragraph (b), clause (1), shall be disregarded for purposes of determining the 63-day periods referred to in section 701(c)(2) of the Employee Retirement Income Security Act of 1974, section 9801(c)(2) of the Internal Revenue Code of 1986, and section 2701(c)(2) of the Public Health Service Act.

**EFFECTIVE DATE.** This section is effective the day following final enactment and expires on June 30, 2010.

Presented to the governor May 4, 2009

Signed by the governor May 6, 2009, 4:34 p.m.