

Federal & State COBRA Requirements Chart

Government	Which Employers Offering Group Coverage Must Provide COBRA	For How Long Is the Employee Entitled to COBRA	For How Long is the Employee's Spouse Entitled to COBRA	For How Long is the Employee's Dependent Child Entitled to COBRA	How Much Can the Plan Charge for COBRA
Federal	Employers with 20 or more employees	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled	18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled 36 months if the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced or legally separated	18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled 36 months if the dependent loses dependent child status under the plan or the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated	Generally, up to 102% of the total premium, but up to 150% of the total premium
Alabama	See Federal				
Alaska	See Federal				
Arizona	Effective January 1, 2019, employers with 20 or fewer employees (for all others, see Federal)	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment.	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment. 29 months, if disabled 36 months, if, during the original 18 months period, the employee dies, becomes eligible for Medicare, or becomes divorced from the spouse.	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment. 29 months, if disabled 36 months, if, during the original 18 months period, the child loses dependent status under the plan or the employee dies, becomes eligible for Medicare, or becomes divorced from the spouse.	Generally, up to 110% of the total premium, but up to 150% of the total premium

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Arkansas	Employers with fewer than 20 employees (for all others see federal	120 days for termination of employment, termination of membership in a class eligible for coverage, or change in marital status	120 days for termination of employment, termination of membership in a class eligible for coverage, or change in marital status	120 days for termination of employment, termination of membership in a class eligible for coverage, or change in marital status	Not addressed by state statute
California	All employers	36 months for termination of employment (except for gross misconduct) or reduction in hours of employment	36 months for termination of employment (except for gross misconduct), reduction in hours of employment, divorce, legal seperation, death, or enrollment in Medicare	36 months for loss of dependent child status under the plan or employee's termination (except for gross misconduct), reduction in hours of employment, divorce, legal seperation, death, or enrollment in Medicare	Generally, up to 110% of the total premium, but up to 150% of the total premium for coverage months 10-36 if disabled
Colorado	Employers with fewer than 20 employees (for all others, see Federal)	18 months for termination of employment	18 months for employee's termination of employment, death, or change in marital status	18 months for employee's termination of employment, death, or change in marital status	Not addressed by state statute
Connecticut	All employers	30 months for layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct)	30 months for employee's layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct) 36 months for employee's divorce, legal separation, eligibility for Medicare, or death	30 months for employee's layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct) 36 months for loss of dependent child status under the plan or employee's divorce, legal separation, eligibility for Medicare, or death	Up to 102% of the total premium

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Delaware	Employers with fewer than 20 employees (for all others, see Federal)	9 months for termination of employment (other than for gross misconduct) or reduction in hours of employment	9 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, or eligibility for Medicare	9 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, or eligibility for Medicare	Up to 102% of the total premium
District of Columbia	Employers with fewer than 20 employees (for all others, see Federal)	3 months unless the employee was terminated for gross misconduct	3 months unless the employee was terminated for gross misconduct	3 months unless the employee was terminated for gross misconduct	Up to 102% of the total premium
Florida	Employers with fewer than 20 employees (for all others, see Federal)	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled	18 months for employee's termination of employment (other than for gross misconduct), reduction in the number of hours of employment, divorce, legal separation, eligibility for Medicare, or death 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled	18 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in the number of hours of employment, divorce, legal separation, eligibility for Medicare, or death 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled	Generally, up to 115% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled
Georgia	Employers with fewer than 20 employees (for all others, see Federal)	Any fractional policy month remaining and 3 additional months for any reason except termination for cause	Any fractional policy month remaining and 3 additional months for any reason except the employee's termination for cause	Any fractional policy month remaining and 3 additional months for any reason except the employee's termination for cause	Up to 100% of the total premium
Hawaii	See Federal				

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Idaho	See Federal				
Illinois	All employers	12 months for termination of employment or reduction in hours of employment	12 months for employee's termination of employment or reduction in hours of employment 24 months for employee's divorce or death if spouse is 55 or younger at the time - Until eligible for Medicare for employee's divorce, retirement, or death if spouse is 55 or older at the time	12 months for employee's termination of employment or reduction in hours of employment 24 months for loss of dependent child status under the plan or employee's divorce or death	Generally, up to 100% of the total premium, but up to 120% after 24 months of spousal COBRA coverage for spouses age 55 or older
Indiana	See Federal				
Iowa	Employers with fewer than 20 employees (for all others, see Federal)	9 months for termination of employment (including approved leaves of absence) or loss of plan eligibility	9 months for employee's termination of employment (including approved leaves of absence), loss of plan eligibility, divorce, or death	9 months for employee's termination of employment (including approved leaves of absence), loss of plan eligibility, divorce, or death	Up to 100% of the total premium
Kansas	All employers	18 months for any reason for loss of coverage	18 months for any reason for loss of coverage	18 months for any reason for loss of coverage	Up to 100% of the total premium
Kentucky	Employers with fewer than 20 employees (for all others, see Federal)	18 months for any reason for loss of coverage	18 months for any reason for loss of coverage	18 months for any reason for loss of coverage	Not addressed by state statute

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Louisiana	Employers with fewer than 20 employees (for all others, see Federal)	12 months for termination of employment or loss of membership in a class eligible for group coverage	12 months for employee's termination of employment, loss of membership in a class eligible for coverage, divorce, or death - Until remarried or eligible for Medicare, if age 50 or older and eligible for COBRA due to employee's divorce	12 months for employee's termination of employment, loss of membership in a class eligible for group coverage, divorce, or death - Until employee's spouse is remarried or eligible for Medicare, if eligible for COBRA due to employee's divorce from spouse age 50 or older	Up to 100% of the total premium
Maine	Employers with fewer than 20 employees (for all others, see Federal) \$10	12 months for temporary layoff or loss of employment due to injury or disease covered under workers' compensation	12 months for employee's temporary layoff or loss of employment due to injury or disease covered under workers' compensation	12 months for employee's temporary layoff or loss of employment due to injury or disease covered under workers' compensation	Up to 102% of the total premium
Maryland	All employers	18 months for termination of employment (other than for cause)	18 months for employee's termination of employment (other than for cause), divorce, or death	18 months for employee's termination of employment (other than for cause), divorce, or death	Generally, up to 100% of the total premium for a divorce, but up to 102% of the total premium for all other qualifying events

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Massachusetts	Employers with fewer than 20 employees (for all others, see Federal)	• 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment	• 18 months for employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if then employee, his/ her spouse, or his/ her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 36 months if the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated	• 18 months for employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 36 months if the dependent loses dependent child status under the plan or the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated	Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled
Michigan	See Federal				
Minnesota	Employers with 2 or more employees	• 18 months for termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff	• 18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff • 36 months for employee's enrollment in Medicare • Until covered under another group health plan or enrolled in Medicare for employee's divorce, legal separation, or death	• 18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff • 36 months for loss of dependent child status under the plan or employee's enrollment in Medicare • Until covered under another group health plan or loss of dependent child status under the plan for employee's divorce, legal separation, or death	Up to 102% of the total premium

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Mississippi	Employers with fewer than 20 employees (for all others, see Federal	12 months for termination of employment	12 months for employee's termination of employment, divorce, eligibility for Medicare, or death	12 months for loss of dependent child status under the plan or employee's termination of employment, divorce, eligibility for Medicare, or death	Up to 100% of the total premium
Missouri	Employers with fewer than 20 employees (for all others, see Federal)	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled	18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled 36 months if the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event	18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled 36 months if the dependent loses dependent child status under the plan or the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event	Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled
Montana	See Federal				
Nebraska	Employers with fewer than 20 employees (for all others, see Federal)	6 months for involuntary termination of employment (other than for misconduct)	6 months for employee's involuntary termination of employment (other than for misconduct) 12 months for employee's death	6 months for employee's involuntary termination of employment (other than for misconduct) 12 months for employee's death	Up to 102% of the total premium
Nevada	See Federal				

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New Hampshire	Employers with more than 1 employee	• 39 weeks if employer terminates group plan • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled	• 39 weeks if employer terminates group plan • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled • 36 months if the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event • Until covered under another group health plan or Medicare if the spouse is 55 or older at the time of employee's divorce, legal separation, or death	• 39 weeks if employer terminates group plan • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled • 36 months if the dependent loses dependent child status under the plan or the employee becomes eligible for Medicare, divorced, legally separated, or dies	Up to 102% of the total premium
New Jersey	Employers with 2-50 eligible employees working at least 25 hours per week (for all others, see Federal)	• 18 months for termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 29 months if the employee is disabled	• 18 months for employee's termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 36 months for employee's divorce or death	• 18 months for employee's termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 36 months for loss of dependent child status under the plan or employee's divorce or death	Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled

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New Mexico	All employers	6 months for termination of employment or membership in a class eligible for coverage	6 months for employee's termination of employment or membership in a class eligible for coverage	6 months for employee's termination of employment or membership in a class eligible for coverage	Not addressed by state statute
New York	All employers	36 months for termination of employment for any reason, reduction in hours of employment, or loss of membership in a class eligible for coverage	36 months for employee's termination of employment for any reason, reduction in hours of employment, death, divorce, legal separation, eligibility for Medicare, or loss of membership in a class eligible for coverage	36 months for employee's termination of employment for any reason, reduction in hours of employment, death, divorce, legal separation, eligibility for Medicare, or loss of membership in a class eligible for coverage	Up to 102% of the total premium
North Carolina	All employers	18 months for termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage	18 months for employee's termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage	18 months for employee's termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage	Up to 102% of the total premium
North Dakota	Employers with fewer than 20 employees (for all others, see Federal)	39 weeks for termination of employment or loss of membership in a class eligible for coverage	39 weeks for employee's termination of employment or membership in a class eligible for coverage 36 months for employee's divorce	39 weeks for employee's termination of employment or membership in a class eligible for coverage 36 months for employee's divorce	Generally, up to 100% of the total premium, but up to 102% of the total premium for divorce or annulment
Ohio	All employers	12 months for involuntary termination of employment (other than for gross misconduct)	12 months for employee's involuntary termination of employment (other than for gross misconduct)	12 months for employee's involuntary termination of employment (other than for gross misconduct)	Up to 100% of the total premium

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Oklahoma	Employers with fewer than 20 employees (for all others, see Federal)	- At least 63 days unless employee is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to termination of employment or termination of the group plan	- At least 63 days unless spouse is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to employee's termination of employment or termination of the group plan	- At least 63 days unless dependent child is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to employee's termination of employment or termination of the group plan	Up to 100% of the total premium
Oregon	Employers with fewer than 20 employees	9 months for termination of employment or reduction in hours of employment	9 months for employee's termination of employment, reduction in hours of employment, eligibility for Medicare, death, or divorce	9 months for loss of dependent child status under the plan or employee's termination of employment, reduction in hours of employment, eligibility for Medicare, death, or divorce	Up to 100% of the total premium
Pennsylvania	Employers with fewer than 20 employees (for all others, see Federal)	9 months for termination of employment (other than for gross misconduct) or reduction in hours of employment	9 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or eligibility for Medicare	9 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or eligibility for Medicare	Up to 105% of the total premium
Rhode Island	All employers	18 months for involuntary termination of employment	18 months for employee's involuntary termination of employment or death	18 months for employee's involuntary termination of employment or death	Up to 100% of the total premium
South Carolina	All employers	Any fractional policy month remaining and 6 additional months for any reason coverage was lost	Any fractional policy month remaining and 6 additional months for any reason coverage was los	Any fractional policy month remaining and 6 additional months for any reason coverage was lost	Up to 100% of the total premium

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South Dakota	Employers with fewer than 20 employees (for all others, see Federal	• 18 months for termination of employment (other than for gross misconduct) • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled	• 18 months for employee's termination of employment (other than for gross misconduct) • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled • 36 months for employee's death, eligibility for Medicare, divorce, or legal separation	• 18 months for employee's termination of employment (other than for gross misconduct) • 29 months if the employee, his/ her spouse, or his/ her dependent(s) is disabled • 36 months for loss of dependent child status under the plan or employee's death, eligibility for Medicare, divorce, or legal separation	Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled
Tennessee	All employers	• Any fractional policy month remaining and 3 additional months for any reason coverage was lost	• Any fractional policy month remaining and 15 additional months for employee's death or divorce • Any fractional policy month remaining and 3 additional months for any other reason coverage was lost	• Any fractional policy month remaining and 15 additional months for employee's death or divorce • Any fractional policy month remaining and 3 additional months for any other reason coverage was lost	Up to 100% of the total premium
Texas	All employers	• 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than termination of employment for cause • 9 months if federal COBRA does not apply to the employer	• 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than employee's termination of employment for cause • 9 months if federal COBRA does not apply to the employer • 36 months for employee's divorce, legal separation, retirement, or death	• 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than employee's termination of employment for cause • 9 months if federal COBRA does not apply to the employer • 36 months for employee's divorce, legal separation, retirement, or death	Up to 102% of the total premium

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Utah	Employers with fewer than 20 employees (for all others, see Federal)	12 months for termination of employment (other than for gross misconduct), reduction in hours of employment, leave of absence, disability, retirement, or sabbatical	12 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, leave of absence, disability, retirement, or sabbatical	12 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, leave of absence, disability, retirement, or sabbatical	Up to 102% of the total premium
Vermont	Employers with fewer than 20 employees (for all others, see Federal)	18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment	18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, or legal separation	18 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, or legal separation	Up to 102% of the total premium
Virginia	Employers with fewer than 20 employees (for all others, see Federal)	12 months for termination of eligibility for coverage, unless employee is eligible for Medicare or Medicaid or was terminated due to gross misconduct	12 months for termination of eligibility for coverage, unless spouse is eligible for Medicare or Medicaid or employee was terminated due to gross misconduct	12 months for termination of eligibility for coverage, unless dependent is eligible for Medicare or Medicaid or employee was terminated due to gross misconduct	Up to 102% of the total premium
Washington	See Federal				

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West Virginia	Employers with fewer than 20 employees (for all others, see Federal)	18 months for involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits)	18 months for employee's involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits)	18 months for employee's involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits)	Up to 100% of the total premium
Wisconsin	All employers	18 months for loss of eligibility for coverage (other than for gross misconduct)	18 months for employee's loss of eligibility for coverage (other than for gross misconduct), divorce, or death	18 months for employee's loss of eligibility for coverage (other than for gross misconduct), divorce, or death	Up to 100% of the total premium
Wyoming	Employers with fewer than 20 employees (for all others, see Federal)	12 months for termination of employment or loss of eligibility for coverage	12 months for employee's termination of employment or loss of eligibility for coverage	12 months for employee's termination of employment or loss of eligibility for coverage	Up to 102% of the total premium

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