

CLIENT ALERT

Brought to you by:



Michelle's Law will become effective on October 9, 2009

Pursuant to P.L. 110-381, this federal law amends the Employee Retirement Income Security Act of 1974, Public Health Service Act and the Internal Revenue Code of 1986 designed to ensure that dependent students who take a medically necessary leave of absence do not lose health coverage.

This legislation allows a full time college student to remain on their parent's plan as a dependent for up to one year if they take a leave of absence due to a serious illness or injury. Coverage will remain in effect until the earlier of: (1) one year after the first day of the medically necessary leave of absence; or (2) the date on which such coverage would otherwise terminate under the terms of the plan. (i.e. Maximum age limit for a student).

To be eligible for the extension of coverage:

- The child must have been enrolled in the health plan on the basis of being a student at a post-secondary educational institution immediately before the first day of the leave
- Written certification by the child's treating physician is required.

The legislation requires that group health plans include a notice of the terms of this Act with any notice regarding a requirement for certification of student status for coverage under the plan.

DISCLAIMER - This e-mail is informational only and is not meant to advise you of your entire obligation under Michelle's Law. This information is provided as an informational service to our clients and is not considered insurance, legal or tax advice. If you would like more information, please do not hesitate to contact our office or your legal counsel.

September 30, 2009

