

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3007

To amend the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act to extend for 3 years the period of COBRA continuation coverage.

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## IN THE HOUSE OF REPRESENTATIVES

AUGUST 6, 1993

Mr. STARK (for himself and Ms. PELOSI) introduced the following bill; which was referred jointly to the Committees on Ways and Means, Energy and Commerce, and Education and Labor

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## A BILL

To amend the Internal Revenue Code of 1986, the Employee Retirement Income Security Act of 1974, and the Public Health Service Act to extend for 3 years the period of COBRA continuation coverage.

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 “COBRA Extension Act  
5        of 1993”.

1 **SEC. 2. INTERNAL REVENUE CODE AMENDMENTS.**

2 Section 4980B(f)(2)(B) of the Internal Revenue Code  
3 of 1986 (relating to period of continuation coverage) is  
4 amended—

5 (1) in clause (i), by inserting “Subject to clause  
6 (vi)—” after “MAXIMUM REQUIRED PERIOD.—”,  
7 and

8 (2) by adding at the end the following new  
9 clause:

10 “(vi) 36-MONTH EXTENSION.—

11 “(I) IN GENERAL.—With respect  
12 to an individual whose period of cov-  
13 erage has not ended before the effec-  
14 tive date specified in section 5(a) of  
15 the COBRA Extension Act of 1993,  
16 the period specified in clause (i) shall  
17 be extended by 36 months.

18 “(II) EXCEPTION.—Subclause (I)  
19 shall not apply to an individual de-  
20 scribed in the last sentence of clause  
21 (i).”.

22 **SEC. 3. ERISA AMENDMENTS.**

23 Section 602(2) of Employee Retirement Income Se-  
24 curity Act of 1974 (29 U.S.C. 1162(2)) is amended—

1 (1) in subparagraph (A), by inserting “Subject  
2 to subparagraph (F)—” after “MAXIMUM REQUIRED  
3 PERIOD.—”, and

4 (2) by adding at the end the following new sub-  
5 paragraph:

6 “(F) 36-MONTH EXTENSION.—

7 “(i) IN GENERAL.—With respect to an  
8 individual whose period of coverage has not  
9 ended before the effective date specified in  
10 section 5(a) of the COBRA Extension Act  
11 of 1993, the period specified in subpara-  
12 graph (A) shall be extended by 36 months.

13 “(ii) EXCEPTION.—Clause (i) shall  
14 not apply to an individual described in the  
15 last sentence of subparagraph (A).”.

16 **SEC. 4. PHSA AMENDMENTS.**

17 Section 2202(2) of Public Health Service Act (42  
18 U.S.C. 300bb-2(2)) is amended—

19 (1) in subparagraph (A), by inserting “Subject  
20 to subparagraph (F)—” after “MAXIMUM REQUIRED  
21 PERIOD.—”, and

22 (2) by adding at the end the following new sub-  
23 paragraph:

24 “(F) 36-MONTH EXTENSION.—

1           “(i) IN GENERAL.—With respect to an  
2           individual whose period of coverage has not  
3           ended before the effective date specified in  
4           section 5(a) of the COBRA Extension Act  
5           of 1993, the period specified in subpara-  
6           graph (A) shall be extended by 36 months.

7           “(ii) EXCEPTION.—Clause (i) shall  
8           not apply to an individual described in the  
9           last sentence of subparagraph (A).”.

10 **SEC. 5. EFFECTIVE DATE.**

11       (a) IN GENERAL.—Subject to subsection (b), the ef-  
12       fective date (specified in this section) is the date of the  
13       enactment of this Act.

14       (b) PLAN YEARS.—The amendments made by this  
15       Act shall apply to plan years beginning on or after the  
16       date of the enactment of this Act, regardless of whether  
17       the qualifying event occurred before, on, or after such  
18       date.

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