

**Subject:** Continuation of Benefits Coverage

**Date:** February 13, 2019

**Pages:** 1 of 2

**Replaces Policy Dated:** N/A

**PURPOSE:** To establish policies to identify periods during which Pinal County will continue to pay the employer portion of core benefits for which an employee may remain eligible.

**STATEMENT OF POLICY:** Pinal County provides benefits to eligible employees and their dependents based on employment status. During Periods of Employer-Certified Disability, Leave of Absence, or Layoff employees may be eligible for coverage and receive employer sponsored portion of coverage.

**SCOPE:** This policy applies to all participating members of Pinal County’s employer provided benefit coverage.

**PROCEDURE:**

A. General-

Employee benefits coverage will terminate on the earliest of these dates, (except in certain circumstances, a covered employee may be eligible for COBRA continuation coverage):

1. the date the Plan is terminated;
2. the last day of the calendar month in which the covered employee ceases to be eligible;
  - a. This includes death or termination of active employment of the covered employee. It also includes an employee on disability, or other leave of absence, unless the plan or federal or state law specifically provides for continuation during these periods.
3. the end of the period for which the required contribution has been paid if the charge for the next period is not paid when due.
4. for the purposes of this policy, references to the requirement “exhaust all available leave accruals prior to going into a leave without pay status under PCPP 7.65” means up to 30 hours per week as required to be considered a full-time employee eligible for benefits under the Affordable Care Act. Hours above 30, to receive a full paycheck, are at the discretion of the employee.

B. When Coverage continues-

Certain circumstances exist where employees may be eligible to continue medical coverage.

1. Family Medical Leave- in accordance with PCPP 7.40 employees qualifying for FMLA will continue to receive medical coverage for up to 12 weeks. Employees are required to exhaust all available leave accruals prior to going into a leave without pay status under PCPP 7.65. The employee’s share of any health insurance premium will continue to remain the employee’s responsibility. Failure to make timely payments may result in the discontinuation of benefits. At the expiration of the above

listed coverage period a member may remain eligible, but will be required to pay the entire benefit premium to include employee and employer share.

2. Uniformed Services Employment and Reemployment Rights (USERRA)- in accordance with PCPP 7.80, if an employee is required to perform military duty of more than 30-days, they have the right to continue existing employer-based health plan coverage for up to 24 months while in the military; however, they may be required to pay up to 102% of the full premium (employee's share and employer's share) Failure to make timely payments may result in the discontinuation of benefits. USERRA, 38 U.S.C. §§ 4301, *et seq.*, protects the employment of employees who take up to five years.
3. Americans with Disabilities Act- in accordance with PCPP 6.50 employees on a certified medical disability leave will continue to receive medical coverage for up to 12 weeks, which commences on the first day of absence. Employees are required to exhaust all available leave accruals prior to going into a leave without pay status under PCPP 7.65. The employee's share of any health insurance premium will continue to remain the employee's responsibility. Failure to make timely payments may result in the discontinuation of benefits. At the expiration of the above listed coverage period a member may remain eligible, but will be required to pay the entire benefit premium to include employee and employer share.
4. Short-Term Disability- employees qualifying for short-term disability will continue to receive medical coverage for up to 12 weeks, which commences on the first day of absence. Employees are required to exhaust all available leave accruals prior to going into a leave without pay status under PCPP 7.65. The employee's share of any health insurance premium will continue to remain the employee's responsibility. Failure to make timely payments may result in the discontinuation of benefits. At the expiration of the above listed coverage period a member may remain eligible, but will be required to pay the entire benefit premium to include employee and employer share.
5. Leave of Absence- employees qualifying for a medical and/or non-medical leave of absence under PCPP 7.65 shall be required to exhaust all available leave accruals prior to going into a leave without pay status. Employees on approved leave without pay may elect to continue Pinal County group insurance coverage while on such leave, but must bear the entire cost and remit both the employee and employer portion of the premiums.
6. Layoff- COBRA continuation coverage is the temporary extension of group health plan coverage that must be offered to certain plan participants and their eligible family members (called qualified beneficiaries) at group rates. The right to COBRA continuation coverage is triggered by the occurrence of a life event that results in the loss of coverage under the terms of the plan (the qualifying event). The coverage must be identical to the plan coverage that the qualified beneficiary had immediately before the qualifying event, or if the coverage has been changed, the coverage must be identical to the coverage provided to similarly situated active employees who have not experienced a qualifying event (in other words, Similarly situated non-COBRA beneficiaries). This plan can charge up to 102% of total plan premiums for COBRA coverage.