

Annual COBRA/Cal-COBRA Status Notification

Fax completed form to (866) 412-9280
or E-mail to groupprocessing@choicebuilder.com

RESPONSE REQUIRED

Company Name <input type="text"/>						
Group # <table border="1"><tr><td>B</td><td></td><td></td><td></td><td></td><td></td></tr></table>	B					
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Status <p>You may select <u>one</u> of the following choices (see reverse side for COBRA status definitions)</p> <p>Effective January 1st 2023, our company will be subject to:</p> <p><input type="checkbox"/> Federal COBRA (20 or more employees for at least 50% of the 2022 calendar year)</p> <p><input type="checkbox"/> Cal-COBRA (Up to 19 employees for at least 50% of the 2022 calendar year)</p> <p><input type="checkbox"/> Exempt (Church Plans Only)</p>						

Note: Failure to notify ChoiceBuilder® of a status change will expose your company to liability for COBRA non-compliance. If notification is not received, your group's COBRA status will remain unchanged.

Please be advised that ChoiceBuilder will not process this request unless it is signed by an Authorized Group Contact. Please contact ChoiceBuilder to verify authorized group contacts.

Authorized Group Contact Signature_____
Print Name_____
Date (MM/DD/YYYY)

RETURN PRIOR TO DECEMBER 31, 2022



COBRA and Cal-COBRA General Guidelines

Federal (COBRA) and California State (Cal-COBRA) laws allow for continuation of group health benefits by individuals who lose coverage as a result of certain “qualifying/triggering events.” In order to maintain compliance with these laws, notification of your current group status must be submitted to ChoiceBuilder® on an annual basis. **If notification is not received, your group’s COBRA status will remain unchanged.**

COBRA or Cal-COBRA status is determined each **calendar year** based on the previous calendar year’s total employee count and does not change mid-year.

General rules for determining your status are as follows:

Federal COBRA (20 or more employees for at least 50% of the 2022 calendar year)

- An employer with a group health plan that employs 20 or more “employees” on at least 50% of its “typical business days” during the preceding calendar year is generally subject to Federal COBRA law.
- “Employees” are all full-time and part-time common law employees, whether or not they are eligible for coverage under the employer’s group health plan.
- Self-employed individuals, independent contractors and corporate directors are not treated as employees for Federal COBRA purposes and need not be counted toward the total employee count.
- Part-time employees may be counted as a fraction of an employee. The fraction is based on the number of hours actually worked compared to the number of hours required to be considered a full-time employee, but not greater than 40 hours per week.
- Employers must aggregate employees from all divisions, subsidiaries and any other entities that make up a controlled group of corporations in determining total employee count.
- Employers may use either daily or pay-period methods of counting total employees.

Cal-COBRA (2 to 19 employees for at least 50% of the 2022 calendar year)

- An employer with only 2 to 19 eligible employees on at least 50% of its “typical business days” during the preceding calendar year is generally subject to Cal-COBRA law.
- All full-time, part-time, leased and self-employed persons (such as partners in a law firm) are considered “employees” regardless of whether or not they are eligible for coverage.
- Agents, independent contractors and corporate directors are counted as eligible employees if they are eligible for the group health plan coverage.
- Employers must aggregate employees from all divisions, subsidiaries and any other entities that make up a controlled group of corporations in determining total employee count.

Exempt (Church Plans Only)

- Employers maintaining church plans may be exempt from Federal COBRA requirements.
- Not all church-controlled organizations are exempt—legal counsel should be consulted in determining if your group qualifies for this exemption.
- Church plans are “plans established and maintained by a church or by a convention or association of churches which are exempt from taxes under Internal Revenue Code Section 501.”
- Employers maintaining a church plan for only 2 to 19 employees will not be exempt from Cal-COBRA.

**Please complete the reverse side of this form
and e-mail or fax to ChoiceBuilder by December 31, 2022.**

RESPONSE REQUIRED

