

# COBRA Meets ACA – Time to Update COBRA Notices - Consolidated Omnibus Budget Reconciliation Act, Affordable Care Act

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The **Affordable Care Act** created a new option to obtain health insurance for employees who are losing job-based coverage—the Health Insurance Marketplace (commonly referred to as the “Exchange”). Because this new coverage option might be relevant to an employee who is deciding whether to take COBRA coverage, the Department of Labor (DOL) recently issued new model COBRA notices that include information about the Exchange. These model notices cover both the initial COBRA notice that is due upon commencement of employer coverage and the COBRA election notice that is due when certain qualifying events occur. The models are available on the [DOL website](#).

Although employers are not required to use the new model notices, the models will be considered good faith compliance with COBRA notice content requirements. As such, employers should either (1) begin using the new model notices, or (2) update current COBRA notices, as appropriate, to reflect the new content and language sanctioned by the DOL.

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