

# STATE OF COLORADO

DEPARTMENT OF REGULATORY AGENCIES

## DIVISION OF INSURANCE

1560 Broadway, Suite 850  
Denver, Colorado 80202



### Bulletin No. B-4.2

#### Colorado Continuation Coverage

##### I. Background and Purpose

The purpose of this bulletin is to provide guidance to carriers regarding the notice requirements for Colorado's continuation of coverage provisions as specified in Section 10-16-108, C.R.S.

Bulletins are the Division's interpretations of existing insurance law or general statements of Division policy. Bulletins themselves establish neither binding norms nor finally determine issues or rights.

##### II. Applicability and Scope

This bulletin is intended for all carriers as defined in Section 10-16-102(8), C.R.S., providing group health care coverage to Colorado employers.

##### III. Division Position

Existing law requires carriers to ensure that employees be provided notice of the availability of continuation of coverage. As Section 10-16-108, C.R.S., does not specify that Colorado's continuation of coverage applies only when COBRA does not, there may be some confusion about whether there must be strict compliance with Colorado's continuation statutes when COBRA continuation is applicable.

Since COBRA continuation rights have less stringent qualifications and richer benefits, consumers benefit from COBRA continuation when offered in place of Colorado continuation. Therefore, health carriers providing proper notice of COBRA continuation coverage when applicable will be deemed to have met Colorado's continuation requirements specified in Section 10-16-108, C.R.S. Regardless of the size of the employer, in situations where Colorado continuation rights apply and COBRA does not, such as when an employee is terminated for gross misconduct, notice requirements as specified in Section 10-16-108, C.R.S., must be followed.

##### IV. Additional Division Resources

###### For More Information

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##### V. History

- Originally issued as bulletin 2-96, March 29, 1996.
- Reissued May 8, 2007.