

From: Nina Florenz [<mailto:ninaflorenz@kirkinsure.com>]
Sent: Sunday, September 06, 2015 3:05 PM
To: Hamje, John (OIC)
Subject: Special Enrollment Rules

Hi John,

(I need to get this off to you as it's already "late" meaning commentaries were due by Friday. I've misplaced the website link with the article I'm referencing in this email but will send asap if you feel it would help)

This is my commentary on the Special Enrollment Period rules being amended by the OIC.

I've run into numerous situations where former employees have part or all of their COBRA premiums covered under a severance package for a short period of time. Just a month ago I had three ex-Microsoft and Boeing employees contact me at the end of their COBRA paid severance package that lasted 6 months.

Sadly, they were not informed that once COBRA was elected and paid for by their employers, that they lost the right to a special enrollment until the next OE or the end of COBRA. I'm hoping that the OIC will add the "loss of employer sponsored insurance" to the Special Enrollment qualifications list and define it to include sponsored COBRA, so that once the employee has to bear the full cost of COBRA, that they can purchase an individual plan. Hopefully the definition of "employer sponsored insurance" is broad enough to include employer paid COBRA.

Attached is a commentary by an HR firm, that, on page 2, in the gray box, highlights that this is a known problem for those who get severance of some kind. I've had clients whose families had to go uninsured rather than take over a huge COBRA premium. They had no idea that they couldn't jump onto a plan once their employer paid COBRA was no longer available.

I feel it's wrong to expect employers to do what the industry should be tasked with, and that is to make sure that these families can continue to be insured at an affordable rate. Many have reduced incomes during this period in their lives, but not so reduced that they can go to Medicaid. Their full COBRA rates are almost always unaffordable.

I've spoken to Premera, Regence and MODA about this, along with the Exchange, and they all agree this is a known problem but they cannot do anything about it until this situation is officially added to the Special Enrollment rules.

Please let me know if you feel this is worth passing on to whoever is handling the SEP rule changes.

Thank you, John.



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