



WILLIG WILLIAMS & DAVIDSON
Employee Benefits Group
2009 Health Care Round-Up

Although most of the headlines this year have involved the ongoing Congressional debate over more comprehensive health care reform, a number of important changes in health care law already have occurred or will be effective soon. Here is a brief summary of the most significant ones:

COBRA SUBSIDY. As part of the Stimulus Act passed in February, employees who were involuntarily terminated from employment, *and* lost their health coverage as a result, between September 1, 2008 and December 31, 2009 can receive a 65% subsidy for their COBRA premiums for up to 9 months. Congress just recently sent to President Obama for signature an extension of this relief to involuntarily terminated employees who lose their coverage between January 1 and February 28, 2010. This extension further lengthens the time the subsidy applies to up to 15 months.

MENTAL HEALTH PARITY. Since 1996, health plans could not have lower annual or lifetime caps for mental health and substance abuse treatment than they had for medical and surgical care. Beginning in 2010 or 2011, depending on when collective bargaining agreements expire, health plans also will no longer be able to discriminate against mental health and substance abuse treatment with special caps on visits or higher co-pays.

MICHELLE'S LAW. In the past, an employee's child generally could extend his or her coverage under his or her parent's health insurance by going to college. But if he or she got really sick and had to drop out of school, he or she also would lose coverage under that insurance. Beginning in 2010, however, students who need to take a medical leave of absence from college will be able to continue under their parents' coverage another 12 months. This law gets its name from Michelle Morse, a college student who died at the age of 22 with colon cancer.

CHILDRENS' HEALTH INSURANCE PROGRAM. Even before the Stimulus Act, Congress expanded the Children's Health Insurance Program so that families with eligible children could receive premium assistance to purchase employer-provided coverage. Moreover, health plans have to allow children who lose their CHIP coverage to enroll in their parents' health plan(s), even if it is not during the regular open enrollment period.

If you have any questions, please feel free to contact one of the firm's benefit attorneys.

The attorneys in the Employee Benefits Group of Willig, Williams & Davidson understand that quality health care and a secure retirement are the most important things that labor unions offer to America's working families. We therefore have committed ourselves to providing the highest level of representation to Taft-Hartley pension and welfare trust funds, and to unions that negotiate for their members' benefits.

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