

Federal & State COBRA Requirements Chart



The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) generally requires employers with **20 or more employees** with group health plans to offer employees, their spouses, and their dependents a temporary period of continued health care coverage if they lose coverage through the employer's plan. In the decades since federal COBRA's passage, many states have enacted so-called "mini-COBRA" laws to allow employees who do not qualify under federal COBRA to obtain similar continuation of coverage benefits. Learn the **general COBRA requirements** that apply to your business in the chart below.

Additional requirements may apply under the laws of your state. For more information, please contact your state's Department of Insurance.

| Government | Which Employers Offering Group Coverage Must Provide COBRA? | For How Long is the Employee Entitled to COBRA? | For How Long is the Employee's Spouse Entitled to COBRA? | For How Long is the Employee's Dependent Child Entitled to COBRA? | How Much Can the Plan Charge for COBRA? |
|------------|-------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------|
| Federal | Employers with 20 or more employees | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the dependent loses dependent child status under the plan or the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated | Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |

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| AL | See Federal | See Federal | See Federal | See Federal | See Federal |
| AK | See Federal | See Federal | See Federal | See Federal | See Federal |
| AZ | Effective January 1, 2019, employers with 20 or fewer employees (for all others, see Federal) | 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months, if disabled • 36 months, if, during the original 18-month period, the employee dies, becomes eligible for Medicare, or becomes divorced from the spouse | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months, if disabled • 36 months, if, during the original 18-month period, the child loses dependent child status under the plan or the employee dies, becomes eligible for Medicare, or becomes divorced from the spouse | Generally, up to 110% of the total premium, but up to 150% of the total premium for coverage months 19-29 if the employee's spouse or dependent child is disabled |
| AR | Employers with fewer than 20 employees (for all others, see Federal) | 120 days for termination of employment, termination of membership in a class eligible for coverage, or change in marital status | 120 days for employee's termination of employment, termination of membership in a class eligible for coverage, or change in marital status | 120 days for employee's termination of employment, termination of membership in a class eligible for coverage, or change in marital status | Not addressed by state statute |
| CA | All employers | 36 months for termination of employment (except for gross misconduct) or reduction in hours of employment | 36 months for employee's termination of employment (except for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or enrollment in Medicare | 36 months for the loss of dependent child status under the plan or employee's termination (except for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or enrollment in Medicare | Generally, up to 110% of the total premium, but up to 150% of the total premium for coverage months 19-36 if disabled |
| CO | Employers with fewer than 20 employees (for all others, see Federal) | 18 months for termination of employment | 18 months for employee's termination of employment, death, or change in marital status | 18 months for employee's termination of employment, death, or change in marital status | Not addressed by state statute |

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| CT | All employers | 30 months for layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct) | <ul style="list-style-type: none"> • 30 months for employee's layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct) • 36 months for employee's divorce, legal separation, eligibility for Medicare, or death | <ul style="list-style-type: none"> • 30 months for employee's layoff, reduction in hours of employment, leave of absence, or termination of employment (other than for gross misconduct) • 36 months for loss of dependent child status under the plan or employee's divorce, legal separation, eligibility for Medicare, or death | Up to 102% of the total premium |
| DE | Employers with fewer than 20 employees (for all others, see Federal) | 9 months for termination of employment (other than for gross misconduct) or reduction in hours of employment | 9 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, or eligibility for Medicare | 9 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, or eligibility for Medicare | Up to 102% of the total premium |
| DC | Employers with fewer than 20 employees (for all others, see Federal) | 3 months unless the employee was terminated for gross misconduct | 3 months unless the employee was terminated for gross misconduct | 3 months unless the employee was terminated for gross misconduct | Up to 102% of the total premium |
| FL | Employers with fewer than 20 employees (for all others, see Federal) | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct), reduction in the number of hours of employment, divorce, legal separation, eligibility for Medicare, or death • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 18 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in the number of hours of employment, divorce, legal separation, eligibility for Medicare, or death • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | Generally, up to 115% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |
| GA | Employers with fewer than 20 employees (for all others, see Federal) | Any fractional policy month remaining and 3 additional months for any reason except termination for cause | Any fractional policy month remaining and 3 additional months for any reason except the employee's termination for cause | Any fractional policy month remaining and 3 additional months for any reason except the employee's termination for cause | Up to 100% of the total premium |
| HI | See Federal | See Federal | See Federal | See Federal | See Federal |

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| ID | See Federal | See Federal | See Federal | See Federal | See Federal |
| IL | All employers | 12 months for termination of employment or reduction in hours of employment | <ul style="list-style-type: none"> • 12 months for employee's termination of employment or reduction in hours of employment • 24 months for employee's divorce or death if spouse is 55 or younger at the time • Until eligible for Medicare for employee's divorce, retirement, or death if spouse is 55 or older at the time | <ul style="list-style-type: none"> • 12 months for employee's termination of employment or reduction in hours of employment • 24 months for loss of dependent child status under the plan or employee's divorce or death | Generally, up to 100% of the total premium, but up to 120% after 24 months of spousal COBRA coverage for spouses age 55 or older |
| IN | See Federal | See Federal | See Federal | See Federal | See Federal |
| IA | Employers with fewer than 20 employees (for all others, see Federal) | 9 months for termination of employment (including approved leaves of absence) or loss of plan eligibility | 9 months for employee's termination of employment (including approved leaves of absence), loss of plan eligibility, divorce, or death | 9 months for employee's termination of employment (including approved leaves of absence), loss of plan eligibility, divorce, or death | Up to 100% of the total premium |
| KS | All employers | 18 months for any reason for loss of coverage | 18 months for any reason for loss of coverage | 18 months for any reason for loss of coverage | Up to 100% of the total premium |
| KY | Employers with fewer than 20 employees (for all others, see Federal) | 18 months for any reason for loss of coverage | 18 months for any reason for loss of coverage | 18 months for any reason for loss of coverage | Not addressed by state statute |
| LA | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for termination of employment or loss of membership in a class eligible for group coverage | <ul style="list-style-type: none"> • 12 months for employee's termination of employment, loss of membership in a class eligible for coverage, divorce, or death • Until remarried or eligible for Medicare, if age 50 or older and eligible for COBRA due to employee's divorce | <ul style="list-style-type: none"> • 12 months for employee's termination of employment, loss of membership in a class eligible for group coverage, divorce, or death • Until employee's spouse is remarried or eligible for Medicare, if eligible for COBRA due to employee's divorce from spouse age 50 or older | Up to 100% of the total premium |

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| ME | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for temporary layoff or loss of employment due to injury or disease covered under workers' compensation | 12 months for employee's temporary layoff or loss of employment due to injury or disease covered under workers' compensation | 12 months for employee's temporary layoff or loss of employment due to injury or disease covered under workers' compensation | Up to 102% of the total premium |
| MD | All employers | 18 months for termination of employment (other than for cause) | 18 months for employee's termination of employment (other than for cause), divorce, or death | 18 months for employee's termination of employment (other than for cause), divorce, or death | Generally, up to 100% of the total premium for a divorce, but up to 102% of the total premium for all other qualifying events |
| MA | Employers with fewer than 20 employees (for all others, see Federal) | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 36 months if the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled at the time of employee's termination of employment (other than for gross misconduct) or reduction in hours of employment • 36 months if the dependent loses dependent child status under the plan or the employee dies, experiences a second qualifying event, or becomes eligible for Medicare, divorced, or legally separated | Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |
| MI | See Federal | See Federal | See Federal | See Federal | See Federal |

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| MN | Employers with 2 or more employees | 18 months for termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff • 36 months for employee's enrollment in Medicare • Until covered under another group health plan or enrolled in Medicare for employee's divorce, legal separation, or death | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, or layoff • 36 months for loss of dependent child status under the plan or employee's enrollment in Medicare • Until covered under another group health plan or loss of dependent child status under the plan for employee's divorce, legal separation, or death | Up to 102% of the total premium |
| MS | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for termination of employment | 12 months for employee's termination of employment, divorce, eligibility for Medicare, or death | 12 months for loss of dependent child status under the plan or employee's termination of employment, divorce, eligibility for Medicare, or death | Up to 100% of the total premium |
| MO | Employers with fewer than 20 employees (for all others, see Federal) | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the dependent loses dependent child status under the plan or the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event | Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |

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| MT | See Federal | See Federal | See Federal | See Federal | See Federal |
| NE | Employers with fewer than 20 employees (for all others, see Federal) | 6 months for involuntary termination of employment (other than for misconduct) | <ul style="list-style-type: none"> • 6 months for employee's involuntary termination of employment (other than for misconduct) • 12 months for employee's death | <ul style="list-style-type: none"> • 6 months for employee's involuntary termination of employment (other than for misconduct) • 12 months for employee's death | Up to 102% of the total premium |
| NV | See Federal | See Federal | See Federal | See Federal | See Federal |
| NH | Employers with more than 1 employee | <ul style="list-style-type: none"> • 39 weeks if employer terminates group plan • 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 39 weeks if employer terminates group plan • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the employee becomes eligible for Medicare, divorced, legally separated, dies, or experiences a second qualifying event • Until covered under another group health plan or Medicare if the spouse is 55 or older at the time of employee's divorce, legal separation, or death | <ul style="list-style-type: none"> • 39 weeks if employer terminates group plan • 18 months for employee's termination of employment (other than for gross misconduct) or reduction in the number of hours of employment • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months if the dependent loses dependent child status under the plan or the employee becomes eligible for Medicare, divorced, legally separated, or dies | Up to 102% of the total premium |

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| NJ | Employers with 2-50 eligible employees working at least 25 hours per week (for all others, see Federal) | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 29 months if the employee is disabled | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 36 months for employee's divorce or death | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for cause) or reduction in hours of employment to less than 25 hours per week • 36 months for loss of dependent child status under the plan or employee's divorce or death | Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |
| NM | All employers | 6 months for termination of employment or membership in a class eligible for coverage | 6 months for employee's termination of employment or membership in a class eligible for coverage | 6 months for employee's termination of employment or membership in a class eligible for coverage | Not addressed by state statute |
| NY | All employers | 36 months for termination of employment for any reason, reduction in hours of employment, or loss of membership in a class eligible for coverage | 36 months for employee's termination of employment for any reason, reduction in hours of employment, death, divorce, legal separation, eligibility for Medicare, or loss of membership in a class eligible for coverage | 36 months for loss of dependent child status under the plan or employee's termination of employment for any reason, reduction in hours of employment, death, divorce, legal separation, eligibility for Medicare, or loss of membership in a class eligible for coverage | Up to 102% of the total premium |
| NC | All employers | 18 months for termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage | 18 months for employee's termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage | 18 months for employee's termination of employment, reduction in hours of employment, or loss of membership in a class eligible for coverage | Up to 102% of the total premium |
| ND | Employers with fewer than 20 employees (for all others, see Federal) | 39 weeks for termination of employment or loss of membership in a class eligible for coverage | <ul style="list-style-type: none"> • 39 weeks for employee's termination of employment or membership in a class eligible for coverage • 36 months for employee's divorce | <ul style="list-style-type: none"> • 39 weeks for employee's termination of employment or membership in a class eligible for coverage • 36 months for employee's divorce | Generally, up to 100% of the total premium, but up to 102% of the total premium for divorce or annulment |

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| OH | All employers | 12 months for involuntary termination of employment (other than for gross misconduct) | 12 months for employee's involuntary termination of employment (other than for gross misconduct) | 12 months for employee's involuntary termination of employment (other than for gross misconduct) | Up to 100% of the total premium |
| OK | Employers with fewer than 20 employees (for all others, see Federal) | <ul style="list-style-type: none"> At least 63 days unless employee is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to termination of employment or termination of the group plan | <ul style="list-style-type: none"> At least 63 days unless spouse is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to employee's termination of employment or termination of the group plan | <ul style="list-style-type: none"> At least 63 days unless dependent child is entitled to coverage under another group health plan 6 months if covered for at least 6 months prior to employee's termination of employment or termination of the group plan | Up to 100% of the total premium |
| OR | Employers with fewer than 20 employees | 9 months for termination of employment or reduction in hours of employment | 9 months for employee's termination of employment, reduction in hours of employment, eligibility for Medicare, death, or divorce | 9 months for loss of dependent child status under the plan or employee's termination of employment, reduction in hours of employment, eligibility for Medicare, death, or divorce | Up to 100% of the total premium |
| PA | Employers with fewer than 20 employees (for all others, see Federal) | 9 months for termination of employment (other than for gross misconduct) or reduction in hours of employment | 9 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or eligibility for Medicare | 9 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, divorce, legal separation, death, or eligibility for Medicare | Up to 105% of the total premium |
| RI | All employers | 18 months for involuntary termination of employment | 18 months for employee's involuntary termination of employment or death | 18 months for employee's involuntary termination of employment or death | Up to 100% of the total premium |

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| SC | All employers | Any fractional policy month remaining and 6 additional months for any reason coverage was lost | Any fractional policy month remaining and 6 additional months for any reason coverage was lost | Any fractional policy month remaining and 6 additional months for any reason coverage was lost | Up to 100% of the total premium |
| SD | Employers with fewer than 20 employees (for all others, see Federal) | <ul style="list-style-type: none"> • 18 months for termination of employment (other than for gross misconduct) • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months for employee's death, eligibility for Medicare, divorce, or legal separation | <ul style="list-style-type: none"> • 18 months for employee's termination of employment (other than for gross misconduct) • 29 months if the employee, his/her spouse, or his/her dependent(s) is disabled • 36 months for loss of dependent child status under the plan or employee's death, eligibility for Medicare, divorce, or legal separation | Generally, up to 102% of the total premium, but up to 150% of the total premium for coverage months 19-29 if disabled |
| TN | All employers | Any fractional policy month remaining and 3 additional months for any reason coverage was lost | <ul style="list-style-type: none"> • Any fractional policy month remaining and 15 additional months for employee's death or divorce • Any fractional policy month remaining and 3 additional months for any other reason coverage was lost | <ul style="list-style-type: none"> • Any fractional policy month remaining and 15 additional months for employee's death or divorce • Any fractional policy month remaining and 3 additional months for any other reason coverage was lost | Up to 100% of the total premium |

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| TX | All employers | <ul style="list-style-type: none"> • 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than termination of employment for cause • 9 months if federal COBRA does not apply to the employer | <ul style="list-style-type: none"> • 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than employee's termination of employment for cause • 9 months if federal COBRA does not apply to the employer • 36 months for employee's divorce, legal separation, retirement, or death | <ul style="list-style-type: none"> • 6 months in addition to any federal COBRA coverage for termination of coverage for any reason other than employee's termination of employment for cause • 9 months if federal COBRA does not apply to the employer • 36 months for employee's divorce, legal separation, retirement, or death | Up to 102% of the total premium |
| UT | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for termination of employment (other than for gross misconduct), reduction in hours of employment, leave of absence, disability, retirement, or sabbatical | 12 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, leave of absence, disability, retirement, or sabbatical | 12 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, legal separation, leave of absence, disability, retirement, or sabbatical | Up to 102% of the total premium |
| VT | Employers with fewer than 20 employees (for all others, see Federal) | 18 months for termination of employment (other than for gross misconduct) or reduction in hours of employment | 18 months for employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, or legal separation | 18 months for loss of dependent child status under the plan or employee's termination of employment (other than for gross misconduct), reduction in hours of employment, death, divorce, or legal separation | Up to 102% of the total premium |
| VA | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for termination of eligibility for coverage, unless employee is eligible for Medicare or Medicaid or was terminated due to gross misconduct | 12 months for termination of eligibility for coverage, unless spouse is eligible for Medicare or Medicaid or employee was terminated due to gross misconduct | 12 months for termination of eligibility for coverage, unless dependent is eligible for Medicare or Medicaid or employee was terminated due to gross misconduct | Up to 102% of the total premium |

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|-------------------|------------------------------------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------|
| WA | See Federal | See Federal | See Federal | See Federal | See Federal |
| WV | Employers with fewer than 20 employees (for all others, see Federal) | 18 months for involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits) | 18 months for employee's involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits) | 18 months for employee's involuntary layoff or termination of employment (other than for misconduct that would disqualify the employee for unemployment benefits) | Up to 100% of the total premium |
| WI | All employers | 18 months for loss of eligibility for coverage (other than for gross misconduct) | 18 months for employee's loss of eligibility for coverage (other than for gross misconduct), divorce, or death | 18 months for employee's loss of eligibility for coverage (other than for gross misconduct), divorce, or death | Up to 100% of the total premium |
| WY | Employers with fewer than 20 employees (for all others, see Federal) | 12 months for termination of employment or loss of eligibility for coverage | 12 months for employee's termination of employment or loss of eligibility for coverage | 12 months for employee's termination of employment or loss of eligibility for coverage | Up to 102% of the total premium |

Provided by:



Helping Agents Take Care of Business

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