

Michelle's Law

For plan years starting on or after **October 9, 2009**, the law prohibits a group health plan from terminating a college student's health coverage on the basis of the child taking a medically necessary leave of absence, as certified by a physician, from school or changing to a part-time status due to a medically necessary condition. For plans on a calendar-year basis, this law became effective on **January 1, 2010**.

To take advantage of the extension, the child must have been enrolled in the group health plan on the basis of being a student at a post-secondary educational institution immediately before the first day of the leave.

Health plans are required to keep the dependent's coverage active during a medically necessary leave of absence until:

- ▶ One year after the first date of the medically necessary leave of absence, or
- ▶ The date coverage would otherwise terminate under the plan

The student on leave is entitled to the same benefits as if they had not taken a leave except if there are changes in: coverage, insurance carrier, and/or fully insured to self funded or vice versa.

Physician's Certification and Notice: The group health plan must receive written certification by the child's treating physician stating the child is suffering from a serious illness or injury, and the leave (or change of enrollment) is medically necessary.