**Section 2040.50 Employee Eligibility for Existing Group Coverage**

a) An issuer of group health insurance coverage under the HMO Act shall allow an employer to continue covering an employee even if the employee would otherwise become ineligible under the terms of the coverage or the group health plan due to a reduction in hours worked or temporary lay-off. This requirement to allow an employer to continue coverage does not mean coverage under a COBRA continuation provision or Section 4-9.2 of the HMO Act. An issuer may not prevent an employer from continuing to cover an employee at the employer's discretion as provided in this Section regardless of any "actively at work" or similar eligibility requirements in any group health insurance coverage or group health plan.

b) An issuer may not discriminate among similarly situated individuals as provided in 50 Ill. Adm. Code 2001.9 when making the allowances required by this Section.