**Section 2040.60 Minimum Employment Required for Statutory Continuation Coverages**

a) For an employer that employs 20 or more employees, as long as one person remains actively employed, an issuer shall not directly or indirectly prohibit an eligible employee from electing to continue coverage under a COBRA continuation provision using the normal notice and election procedures provided under the Employee Retirement Income Security Act of 1974 (29 USC 1001 et seq.).

b) For any employer with group health insurance coverage, as long as at least one person remains actively employed and enrolled in the coverage, an issuer shall not directly or indirectly prohibit an eligible employee from electing to continue coverage under the State continuation coverage required by Section 4-9.2 of the HMO Act.