**Section 2040.70 Special Enrollment Effective Date for Off-Exchange Coverage**

a) For health insurance coverage that is not issued through the Exchange, an issuer shall waive the normal special enrollment procedures for an employee or former employee who has lost coverage under their employer or former employer's group health plan or group health insurance coverage to the extent necessary to allow the employee or former employee to obtain or enroll under health insurance coverage effective the day after his or her prior coverage terminated. This requirement applies even if the employee or former employee previously had the opportunity to enroll under the new health insurance coverage. Otherwise, existing requirements for limited and special enrollment periods contained in Title 45 of the Code of Federal Regulations and 50 Ill. Adm. Code 2001.4 continue to apply.

b) An issuer may make the retroactive extension of coverage optional to the applicant rather than automatic.

c) An issuer shall notify the applicant of the amount of premiums due and the due date based on the effective coverage date, accounting for the availability of an extension on the due dates under Section 2040.40.

d) This Section applies with respect to employees or former employees whose coverage terminates on or after the Governor declares a disaster in all counties of the State. However, existing requirements for the length of the enrollment period in 50 Ill. Adm. Code 2001.4 continue to apply to each applicant.