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To: [EBSA, E-OHPSCA - EBSA](#)
Subject: Coverage to End of Calendar Year in Which Age 26 is attained
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Attachments: [editdata.mso](#)
[FINAL-Recon ACT.pdf](#)

The regulations on dependent coverage and news announcements seem to have overlooked the changes made by the Reconciliation Act, as the Reconciliation Act modified the definition of a dependent as "through the end of the tax year in which the dependent has not attained age 27 under Section 152 (f)(1)." Act Health Care Protection Act Section 2714 refers to extension of coverage "to age 26."

The definitions should be consistent – either coverage is mandated to age 26 or to the end of the tax year in which the dependent attains age 26 and has not attained age 27. I could not find anywhere to indicate that it was "optional" to go to the end of the tax year... There is no mention of this Reconciliation provision in the regulations. See Reconciliation Act Section 1004 (d)(1), page 7 of [attached publication](#).

It should also be clarified that once a dependent reaches the maximum age, they are eligible for COBRA for up to 36 months.

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