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Interim Report  
to  
The Congress  
on  
COBRA Premium Assistance

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Department of the Treasury  
June 2010

## **Interim Report Required by ARRA**

Section 3001(a)(11) of the American Recovery and Reinvestment Act of 2009 (ARRA or Act) requires the Secretary of the Treasury to submit an interim report to the Committee on Education and Labor, the Committee on Ways and Means, and the Committee on Energy and Commerce of the House of Representatives and the Committee on Health, Education, Labor, and Pensions, and the Committee on Finance of the Senate regarding the COBRA<sup>1</sup> premium assistance program contained in ARRA. Section 3001(a)(11)(A) of the Act specifies that the interim report is to include information on: “(i) the number of individuals provided such assistance as of the date of the report; and (ii) the total amount of expenditures incurred (with administrative expenditures noted separately) in connection with such assistance as of the date of the report.” A final report is due as soon as practicable after the last period for which COBRA premium assistance is provided, which originally was the 9-month period ending September 30, 2010 and, after several legislative actions extending the period, is currently the 15-month period ending August 31, 2011, at the earliest. This document fulfills the requirement for an interim report.

In summary, as many as two million households have benefitted from the COBRA premium assistance program in 2009 at a cost of slightly over \$2 billion, based on the Internal Revenue Service’s (IRS) most recently available data.

## **Background – Current Law**

COBRA requires certain employers (generally those with 20 or more employees), including state and local governments, and certain other entities that maintain group health plans to offer qualified plan participants, including dependents, the opportunity to elect continued coverage under the group health plan for a specified period after the occurrence of certain events, such as termination of employment, that otherwise would cause a termination of coverage. To obtain COBRA continuation coverage, qualified individuals may be required to pay a premium of up to a maximum of 102 percent of the cost of similar coverage provided for active employees.<sup>2</sup> An excise tax is imposed if a group health plan fails to comply with the COBRA continuation coverage rules.

Under a separate provision of the law,<sup>3</sup> Federal employees and their families are also entitled to similar temporary continuation coverage under the Federal Employee Health Benefit Program (FEHBP) if coverage ends as the result of termination of employment. In addition, many states have laws or regulations that require continuation coverage, often for group health plans maintained by small employers that are not subject to the Federal COBRA continuation coverage requirements.<sup>4</sup>

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<sup>1</sup> “COBRA” is the acronym for the Consolidated Omnibus Budget Reconciliation Act of 1985, the law that added the healthcare continuation coverage rules to the Internal Revenue Code (the Code) and parallel provisions in the Employee Retirement Income Security Act (ERISA) and the Public Health Service Act (PHS Act).

<sup>2</sup> See Internal Revenue Code Section 4980B(f)(2)(C); Treasury regulation §54.4980B-8 Q&A-1.

<sup>3</sup> See §8905a of title 5 of the United States Code (USC).

<sup>4</sup> These programs are often referred to as “mini-COBRA” plans. Depending on state laws, qualified individuals may be required to pay premiums as high as 130 percent of the cost of similar coverage provided for active employees.

ARRA and subsequent legislation<sup>5</sup> provide a subsidy to employees who terminate employment involuntarily and qualify for COBRA continuation coverage as well as to their qualified family members. The subsidy effectively limits an individual's cost of purchasing continuation coverage to 35 percent of the COBRA premium. COBRA premium assistance also applies to temporary continuation coverage elected under FEHBP and to comparable state-required continuation plans even though these later plans are not part of the original COBRA legislation.

In general terms, the COBRA premium assistance program is administered by the IRS through payroll tax withholding as follows: Workers eligible for COBRA premium assistance send a premium payment to their employers, plan administrators, or insurers for continuation coverage based on the procedures in place before ARRA. Under ARRA, however, a worker's payment must cover only 35 percent of the premium otherwise due. As before ARRA, the employer then retains the worker in its group health plan. Employers initially advance the remaining 65 percent to the insurer (in the case of an insured plan), and effectively are reimbursed by the IRS via adjusted payroll tax withholding.<sup>6</sup> More specifically, employers (or other entities providing the coverage) are allowed a credit against their payroll taxes for the 65 percent of the premium that is not paid by the individual.

COBRA premium assistance is limited to individuals who qualify for continuation coverage as a result of an involuntary termination of employment between September 1, 2008 and May 31, 2010.<sup>7</sup> For some individuals who lost coverage because of an involuntary termination of employment between September 1, 2008 and February 17, 2009 (the date the Act was signed by the President), special statutory transition and notice rules allowed additional opportunities to elect COBRA continuation coverage, in order to make the COBRA premium assistance available to those who lost their jobs before passage of the Act.

COBRA premium assistance is available for a maximum of 15 months,<sup>8</sup> ending sooner if a qualified beneficiary becomes eligible for coverage under another group health plan or Medicare or if the period of continuation coverage otherwise ends. Eligibility for premium assistance begins to phase out as a taxpayer's modified adjusted gross income for the taxable year in which premium assistance is provided rises above \$125,000 (\$250,000 for married taxpayers filing a joint return) and is completely phased out for those with incomes above \$145,000 (\$290,000 for married taxpayers filing a joint return).

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<sup>5</sup> The premium assistance provisions of ARRA were extended on December 19, 2009, by the Department of Defense Appropriations Act, 2010 (DOD Appropriations Act); on March 2, 2010, by the Temporary Extension Act of 2010 (TEA); and on April 15, 2010, by the Continuing Extension Act of 2010 (CEA).

<sup>6</sup> Individuals covered under state mini-COBRA plans send their premium payment to their insurer and their insurer advances the remaining 65 percent, receiving reimbursement by the IRS via adjusted payroll tax withholding.

<sup>7</sup> The DOD Appropriations Act, TEA, and CEA extended the period in which involuntary terminations of employment causing a loss of group health coverage would qualify for assistance from December 31, 2009 to May 31, 2010. In addition, TEA and CEA expanded the scope of the premium assistance program to include certain involuntary terminations occurring between March 2, 2010 and May 31, 2010, even though the employee had previously lost coverage due to a reduction in hours occurring between September 1, 2008 and May 31, 2010.

<sup>8</sup> The DOD Appropriations Act extended the duration of the premium assistance from 9 months to 15 months.

In addition to the IRS, both the U.S. Department of Labor and the U.S. Department of Health and Human Services have duties for administering COBRA premium assistance. The Department of Labor has responsibility for dealing with private sector employers with 20 or more employees, while the Department of Health and Human Services has responsibility for Federal, state, local and other non-Federal governmental plans; church plans; and other, mostly private, comparable state continuation plans for employers that have fewer than 20 employees.

Individuals who are participants in plans for private sector employers with 20 or more employees and who are denied treatment as assistance eligible individuals and thus are denied eligibility for the 35 percent premium cap (whether by their plan, employer or insurer) may request an expedited review of the denial by the Department of Labor. The Department of Labor must make a determination within 15 business days of receipt of a completed request for review. The official [application form](#) can be filed online or submitted by fax or mail. All other individuals who are participants in plans whose plans, employers or insurers deny them access to premium assistance may request a similar review process through the Department of Health and Human Services.

In addition, as required, the Department of Labor issues model notices and continues to carry out an outreach and education program to inform terminated employees of their rights to premium assistance as well as to inform employers how to comply with the new law.

## **Report**

COBRA premium assistance has been provided to as many as 2 million households in 2009.<sup>9</sup> Because many health benefit plans cover spouses and dependents, the number of individuals receiving health coverage for which the COBRA premium assistance was provided is likely to be substantially higher than 2 million. See Table 1 for a breakout of households who receive assistance by state. The attached tables show the counts by state based on the address of the employees' common law employer or the employer's filing agent as provided on the IRS Form 941. The state reported on IRS Form 941 may differ from the state in which the former employees receiving continuation coverage reside or previously worked.

There is some ambiguity in the number of households that received COBRA premium assistance because: (1) Many, but not all, of the early filings in 2010 are likely to represent 2009 claims; (2) some employers may yet submit 2009 claims through amended returns filed later in 2010 (or perhaps even later); and (3) some former employees may have been claimed on multiple filings

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<sup>9</sup> The data contained in the attached tables were obtained from the IRS Office of Research. These data were processed to remove obvious errors. For instance, claims containing amounts of premium assistance that were inconsistent with the number of covered employees were excluded from the tabulation. This had the effect of reducing the aggregate amount of premium assistance by just under ten percent. Therefore, the amounts reported in the table may represent a slight underestimate of legitimate claims for premium assistance. The IRS expects that its data collection and data screening procedures will be improved over time to provide a better count in the future.

because they were covered by COBRA premium assistance for more than one quarter and their employers submitted claims for them in each such quarter.<sup>10</sup>

Over 300,000 claims were filed by employer tax reporting units through early 2010, as shown on Table 2.<sup>11</sup> These employers claimed credits for over \$2 billion in premium assistance against payroll tax withholding, as shown in Table 3.

Based on the IRS data, it is not possible to determine the percentage of former employees eligible for COBRA premium assistance who actually received the premium assistance. However, a study by the Treasury Department's Office of Economic Policy concluded that approximately 15 percent of Unemployment Insurance (UI) beneficiaries in the state of New Jersey received health insurance coverage via COBRA or New Jersey continuation coverage. The study further estimated that between a quarter and a third of COBRA premium assistance eligible UI beneficiaries enrolled in subsidized continuing health insurance.<sup>12</sup>

Since inception of the subsidy program through June 3, 2010, the Department of Labor has received 20,199 requests for expedited review and has closed 19,715, all but 49 of which were adjudicated within the statutorily required 15 business day time frame. Over 13,000 of these reviews resulted in the employer's determination being overturned, while the employer's determination was upheld in nearly 4,300 cases. In addition, approximately 1,200 were referred to the Department of Health and Human Services. The remaining requests were either closed as incomplete applications, withdrawn by the requester, or denied because the requester had not applied for the premium assistance.

Since inception of the subsidy program through the end of May 2010, the Department of Health and Human Services had received 3,181 requests for expedited review and had closed 3,033, all but 13 of which were adjudicated within the statutorily required 15 business day time frame. The employer's determination was overturned in 1,393 of these cases, the employer's determination was upheld in 659 cases, 503 were referred to the Department of Labor and the remaining were: dismissed as outside of the scope of review (52); withdrawn by the requester (189); or set-aside such that the requester could take more steps and reapply (237).

The Department of Labor is also responsible for conducting outreach and education to inform the employees of their rights as well as inform employers how to comply with the law. Toward that

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<sup>10</sup> Some employers waited until the fourth quarter (filing deadline January 31, 2010) to report their 2009 claims for COBRA premium assistance credits. Other employers reported claims as they occurred each quarter. Some of the former employees of employers that filed on a quarterly basis may have been reported in multiple quarters, resulting in some employees being counted more than once. The numbers in this interim report reflect payroll tax returns processed through April 2010. First quarter returns for 2010 were not due until April 30<sup>th</sup>, and many such returns have not yet been processed. Thus, the early 2010 returns reported here may not include a large number of 2010 claims and therefore may be more properly counted as 2009 claims.

<sup>11</sup> Given that some employers file quarterly, there may be some multiple filings by the same employer tax reporting unit.

<sup>12</sup> The study, "COBRA Insurance Coverage Since the Recovery Act: Results from New Survey Data," released May 2010, is available at <http://www.ustreas.gov/offices/economic-policy/cobra%20final%20report.pdf>.

end, the Department of Labor developed a dedicated website ([www.dol.gov/COBRA](http://www.dol.gov/COBRA)) which has over 70,000 subscribers and over 3 million visitors; developed a fact sheet in English and Spanish; developed frequently asked questions for employees and employers; conducted three compliance assistance webcasts with over 20,000 visitors; developed three videos including one in Spanish; updated publications; worked with the Department of Labor's Employment and Training Administration to inform the One Stop Centers so they could help get the word out to dislocated workers; provided regular updates to stakeholders; and conducted 1,017 outreach events across the country reaching 34,341 individuals. As of the first week of May 2010, the Department of Labor has spent \$4.2 million in administering COBRA premium assistance.

The Department of Health and Human Services maintained a website and helpline for the public and provided adjudication services for terminated employees who requested review after their former employers denied them access to premium assistance. The Department of Health and Human Services continues to work with state departments of insurance to ensure that the state continuation coverage provisions are accurately interpreted in light of premium assistance under ARRA. The Department of Health and Human Services has spent \$1.9 million for administering COBRA premium assistance.<sup>13</sup>

Because the IRS administers the processing of the COBRA credit through the payroll tax withholding process, the IRS costs to implement and administer the program are modest. The IRS estimates that it has spent less than \$2 million to administer the program. In total, the cost of administering the COBRA premium assistance program for all three agencies combined is about \$8 million, less than 0.5 percent of the more than \$2 billion of premium assistance provided to date.

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<sup>13</sup> This figure mainly represents contractor costs in running a helpdesk and adjudicating cases subject to review by the Centers for Medicare & Medicaid Services (CMS), the agency within the Department of Health and Human Services which has been responsible for the ARRA COBRA project. CMS has not historically employed many staff member experts in COBRA or other health insurance issues linked to employment. Nor has it ever created a system to adjudicate related matters.

**Table 1**  
**Number of Households with Premium Assistance**

<i>State</i> <sup>1</sup>	2009				2010	<i>Total</i> <sup>3</sup>
	<i>1st Quarter</i>	<i>2nd Quarter</i>	<i>3rd Quarter</i>	<i>4th Quarter</i>	<i>Early Filings</i> <sup>2</sup>	
Alabama	144	2,497	5,700	7,174	397	15,912
Alaska	29	188	433	617	4	1,267
Arizona	432	5,337	15,510	17,900	1,528	40,707
Arkansas	104	2,662	7,964	3,358	128	14,216
California	1,491	24,808	58,835	87,892	4,663	177,689
Colorado	458	5,041	10,091	15,669	957	32,216
Connecticut	445	21,846	16,461	13,463	871	53,086
Delaware	24	595	4,299	1,998	80	6,996
District of Columbia	178	1,094	1,573	2,051	125	5,021
Florida	652	13,841	102,278	158,539	1,683	276,993
Georgia	361	7,102	16,147	24,990	649	49,249
Hawaii	48	920	1,385	2,163	48	4,564
Idaho	387	2,733	3,239	3,791	236	10,386
Illinois	1,506	17,909	33,298	57,359	2,052	112,124
Indiana	333	7,026	12,208	19,224	553	39,344
Iowa	442	3,825	6,532	7,526	273	18,598
Kansas	168	2,590	4,425	6,440	372	13,995
Kentucky	200	2,515	4,811	9,027	407	16,960
Louisiana	192	2,248	5,888	7,715	358	16,401
Maine	49	940	1,632	2,444	133	5,198
Maryland	316	4,436	9,176	32,207	478	46,613
Massachusetts	1,279	14,473	25,944	36,150	1,898	79,744
Michigan	1,220	15,490	23,828	40,500	2,219	83,257
Minnesota	700	13,363	23,521	32,311	1,057	70,952
Mississippi	170	1,299	2,170	2,706	190	6,535
Missouri	655	7,873	15,456	19,702	758	44,444
Montana	52	582	946	1,138	60	2,778
Nebraska	139	2,336	3,693	4,817	178	11,163
Nevada	262	2,666	4,315	5,250	356	12,849
New Hampshire	193	1,704	3,483	6,067	347	11,794
New Jersey	879	10,251	27,165	37,186	1,637	77,118
New Mexico	26	486	798	1,119	51	2,480
New York	2,011	22,366	40,710	61,793	3,273	130,153
North Carolina	561	11,547	22,054	36,703	978	71,843
North Dakota	132	563	1,312	1,753	56	3,816
Ohio	941	13,941	29,115	43,209	1,879	89,085
Oklahoma	290	2,193	3,584	5,046	235	11,348
Oregon	911	7,794	10,557	19,413	766	39,441
Pennsylvania	1,513	22,808	31,904	47,605	3,481	107,311
Rhode Island	133	1,499	4,336	5,265	308	11,541
South Carolina	311	2,880	5,265	6,490	230	15,176
South Dakota	38	474	1,060	1,209	48	2,829
Tennessee	519	5,145	15,650	17,720	506	39,540
Texas	1,175	25,308	43,473	58,817	1,447	130,220
Utah	222	2,818	4,285	6,133	395	13,853
Vermont	49	477	755	904	34	2,219
Virginia	608	6,602	13,272	19,919	724	41,125
Washington	520	8,038	14,648	21,367	1,100	45,673
West Virginia	25	341	853	1,022	29	2,270
Wisconsin	1,235	14,799	16,651	23,100	1,723	57,508
Wyoming	4	225	417	489	50	1,181
<i>Other</i> <sup>4</sup>	46	1,014	1,967	4,025	26	7,078
<b><i>Grand Total</i></b>	<b>24,774</b>	<b>351,508</b>	<b>715,072</b>	<b>1,050,475</b>	<b>42,030</b>	<b>2,183,859</b>

**Notes**

- 1 The state is determined by the address of the employer reporting entity provided on the IRS Form 941.
- 2 The early filings for 2010 includes some employers claiming the COBRA premium assistance during 2009 and some the claiming the COBRA premium assistance in the first quarter of 2010. Processing of the IRS Forms 941 claiming COBRA premium assistance for the first quarter 2010 was not yet complete.
- 3 The total may count a household more than once if the eligible individual is claimed in more than one quarterly return.
- 4 Other including Army PO, Pacific, Guam, Puerto Rico, Virgin Islands. The category also includes Wyoming for the first quarter 2009 and Alaska for the early filings for 2010 to prevent disclosure of tax information.

**Data Sources**

Internal Revenue Service Office of Research - Compliance Data Warehouse - BMF Transaction History File  
 Extracted Data File - Business Master File - F941 Data - Processing Cycles 201001 - 201017  
 Processed through April 2010.

**Table 2**  
**Number of Employer Returns<sup>1</sup>**

State <sup>2</sup>	2009				2010	Total
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Early Filings <sup>3</sup>	
Alabama	48	650	1,150	1,466	154	3,468
Alaska	18	84	138	190		430
Arizona	234	1,397	1,838	2,318	380	6,167
Arkansas	40	398	557	673	64	1,732
California	708	6,198	9,385	12,907	1,532	30,730
Colorado	299	1,546	2,194	2,604	382	7,025
Connecticut	240	1,348	1,736	2,284	360	5,968
Delaware	15	151	281	335	39	821
District of Columbia	34	278	383	501	67	1,263
Florida	321	2,973	4,626	5,775	576	14,271
Georgia	182	1,416	2,373	2,957	220	7,148
Hawaii	17	277	387	514	18	1,213
Idaho	58	402	554	624	76	1,714
Illinois	773	4,092	5,595	7,063	750	18,273
Indiana	164	1,365	1,976	2,498	233	6,236
Iowa	175	932	1,310	1,558	150	4,125
Kansas	81	838	1,210	1,465	171	3,765
Kentucky	95	791	1,130	1,463	158	3,637
Louisiana	122	750	1,104	1,338	180	3,494
Maine	35	282	472	656	60	1,505
Maryland	197	1,325	1,846	2,473	214	6,055
Massachusetts	626	2,934	3,889	4,957	730	13,136
Michigan	440	3,220	4,245	5,327	662	13,894
Minnesota	317	2,048	2,878	3,597	416	9,256
Mississippi	77	408	559	683	76	1,803
Missouri	361	1,778	2,379	2,977	361	7,856
Montana	17	190	285	330	36	858
Nebraska	70	455	606	823	80	2,034
Nevada	133	753	942	1,118	135	3,081
New Hampshire	135	650	856	1,032	151	2,824
New Jersey	485	2,730	3,808	5,167	651	12,841
New Mexico	17	176	265	337	24	819
New York	1,013	5,371	7,277	9,728	1,367	24,756
North Carolina	269	2,073	2,873	3,615	294	9,124
North Dakota	62	197	289	322	32	902
Ohio	416	3,126	4,492	5,870	733	14,637
Oklahoma	113	645	907	1,073	123	2,861
Oregon	394	1,704	2,106	2,526	291	7,021
Pennsylvania	693	4,249	5,865	7,396	980	19,183
Rhode Island	73	453	578	716	103	1,923
South Carolina	178	888	1,243	1,464	98	3,871
South Dakota	18	185	309	348	28	888
Tennessee	186	1,203	1,840	2,314	159	5,702
Texas	541	3,891	5,454	6,768	567	17,221
Utah	109	636	899	1,088	129	2,861
Vermont	27	212	281	326	22	868
Virginia	327	1,807	2,670	3,362	346	8,512
Washington	270	2,224	2,960	3,659	377	9,490
West Virginia	14	103	210	261	12	600
Wisconsin	459	2,422	3,037	3,803	478	10,199
Wyoming	4	103	130	151	27	411
Other <sup>4</sup>	26	212	370	458	13	1,079
<b>Grand Total</b>	<b>11,722</b>	<b>74,539</b>	<b>104,747</b>	<b>133,258</b>	<b>15,285</b>	<b>339,551</b>

**Notes**

- 1 The number of IRS Forms 941 filed by common law employers or the employers' filing agent on which a COBRA premium assistance was claimed. A single corporation or organization may have more than one employer reporting unit filing an IRS Form 941 in a quarter.
- 2 The state is determined by the address of the employer reporting entity provided on the IRS Form 941.
- 3 The early filings for 2010 includes some employers claiming the COBRA premium assistance during 2009 and some claiming the COBRA premium assistance in the first quarter of 2010. Processing of the IRS Forms 941 claiming COBRA premium assistance for the first quarter 2010 was not yet complete.
- 4 Other including Army PO, Pacific, Guam, Puerto Rico, Virgin Islands. The category also includes Wyoming for the first quarter 2009 and Alaska for the early filings for 2010 to prevent disclosure of tax information.

**Data Sources**

Internal Revenue Service Office of Research - Compliance Data Warehouse - BMF Transaction History File  
 Extracted Data File - Business Master File - F941 Data - Processing Cycles 201001 - 201017  
 Processed through April 2010



**Table 3**  
**COBRA Premium Assistance**  
(\$ Amount)

State <sup>1</sup>	2009				2010	Total
	1st Quarter	2nd Quarter	3rd Quarter	4th Quarter	Early Filings <sup>2</sup>	
Alabama	58,021	2,043,573	5,164,609	7,422,321	409,652	15,098,176
Alaska	13,726	202,550	483,633	961,758		1,661,666
Arizona	150,828	4,083,605	10,230,040	15,426,392	1,516,000	31,406,865
Arkansas	32,299	1,721,405	13,740,895	2,597,249	103,115	18,194,962
California	594,403	24,520,498	66,327,766	128,940,452	5,048,837	225,431,955
Colorado	176,557	5,060,102	10,840,650	17,857,083	1,018,775	34,953,167
Connecticut	222,321	5,305,596	12,105,572	23,101,602	1,102,886	41,837,977
Delaware	12,335	775,271	5,008,050	2,387,447	96,680	8,279,783
District of Columbia	28,696	797,237	1,763,984	2,822,700	154,674	5,567,290
Florida	238,277	12,812,456	36,991,778	57,060,069	1,757,741	108,860,321
Georgia	127,330	5,922,272	16,812,098	29,965,787	636,513	53,464,001
Hawaii	17,189	610,432	1,119,447	1,715,527	42,689	3,505,285
Idaho	114,018	1,723,359	2,608,076	3,246,331	223,520	7,915,304
Illinois	629,495	17,555,949	35,441,315	61,036,368	2,505,806	117,168,933
Indiana	142,053	5,444,682	15,492,514	23,556,440	676,237	45,311,928
Iowa	169,451	3,351,167	6,583,685	7,777,589	244,015	18,125,907
Kansas	57,912	2,197,930	4,341,126	8,235,157	335,427	15,167,552
Kentucky	58,530	1,997,502	4,344,723	10,139,435	372,629	16,912,818
Louisiana	79,932	1,814,965	3,836,566	6,982,451	325,325	13,039,238
Maine	19,193	721,004	1,782,734	3,326,924	169,186	6,019,040
Maryland	131,852	4,110,617	9,833,894	17,233,616	537,270	31,847,249
Massachusetts	655,754	13,915,098	32,471,134	52,750,262	2,534,224	102,326,472
Michigan	524,833	13,149,750	25,475,205	38,623,501	2,541,853	80,315,142
Minnesota	251,725	10,478,358	25,019,022	34,591,095	1,187,094	71,527,294
Mississippi	54,776	1,030,891	2,069,595	2,898,169	136,007	6,189,438
Missouri	219,878	6,203,187	12,170,775	18,794,927	748,083	38,136,851
Montana	16,444	609,313	1,005,069	1,243,795	68,152	2,942,774
Nebraska	51,859	2,237,215	3,593,008	5,201,621	187,639	11,271,341
Nevada	89,570	2,295,358	4,534,330	5,178,213	356,127	12,453,598
New Hampshire	94,617	1,943,921	4,813,651	6,480,963	428,274	13,761,427
New Jersey	457,649	10,121,975	30,815,441	56,007,323	2,073,812	99,476,199
New Mexico	14,126	428,808	817,883	1,189,036	71,371	2,521,224
New York	935,212	19,482,743	46,663,463	84,295,252	4,063,781	155,440,451
North Carolina	208,745	9,682,231	19,934,867	35,628,593	896,814	66,351,250
North Dakota	45,886	467,075	1,402,650	2,218,632	48,155	4,182,398
Ohio	354,609	11,668,140	24,811,223	48,507,591	1,921,132	87,262,696
Oklahoma	95,616	1,843,661	3,468,818	5,021,010	257,455	10,686,559
Oregon	334,892	6,542,894	9,721,693	18,993,097	757,543	36,350,118
Pennsylvania	551,565	16,766,941	32,876,538	55,034,776	3,541,063	108,770,884
Rhode Island	65,859	1,563,588	4,476,870	6,024,471	374,517	12,505,305
South Carolina	111,703	2,516,726	4,817,045	7,153,147	236,450	14,835,072
South Dakota	14,466	389,865	1,042,495	1,100,080	39,291	2,586,197
Tennessee	164,426	4,276,299	14,388,068	20,188,792	535,496	39,553,081
Texas	511,113	21,641,178	43,049,077	65,244,184	1,602,577	132,048,129
Utah	104,079	2,174,722	4,292,554	6,720,807	431,424	13,723,587
Vermont	16,724	386,579	778,346	1,083,264	38,002	2,302,915
Virginia	247,386	5,749,316	13,426,387	21,869,983	750,352	42,043,423
Washington	191,903	7,340,882	15,943,477	23,366,096	1,135,822	47,978,180
West Virginia	11,745	326,938	999,970	1,253,861	40,166	2,632,680
Wisconsin	393,365	9,938,608	16,394,156	25,725,238	1,449,838	53,901,206
Wyoming		289,669	387,996	583,055	69,258	1,329,978
Other <sup>3</sup>	15,949	518,057	1,403,471	2,898,365	22,007	4,857,849
<b>Grand Total</b>	<b>9,880,892</b>	<b>288,752,160</b>	<b>667,917,429</b>	<b>1,087,661,894</b>	<b>45,820,756</b>	<b>2,100,033,132</b>

**Notes**

- The state is determined by the address of the employer reporting entity provided on the IRS Form 941.
- The early filings for 2010 includes some employers claiming the COBRA premium assistance during 2009 and some the claiming the COBRA premium assistance in the first quarter of 2010. Processing of the IRS Forms 941 claiming COBRA premium assistance for the first quarter 2010 was not yet complete.
- Other including Army PO, Pacific, Guam, Puerto Rico, Virgin Islands. The category also includes Wyoming for the first quarter 2009 and Alaska for the early filings for 2010 to prevent disclosure of tax information.

**Data Sources**

Internal Revenue Service Office of Research - Compliance Data Warehouse - BMF Transaction History File  
 Extracted Data File - Business Master File - F941 Data - Processing Cycles 201001 - 201017  
 Processed through April 2010