

Personnel

Health And Welfare Benefits

Retired Certificated Employees

The district's health and welfare benefit plan and dental care benefit plan provided for certificated employees shall permit enrollment by any former certificated employee who retired under any public retirement system and to his/her spouse. In addition, the plan shall be available to any surviving spouse of a former certificated employee who either retired from the district or was, at the time of death, employed by the district and a member of the State Teachers' Retirement System. (Education Code 7000)

A retired certificated employee or surviving spouse shall be allowed to enroll in the coverage within 30 days of losing active employee coverage. In addition, the Superintendent or designee shall annually select a one-month period during which former employees or their spouses may elect to enroll in the health or dental plan or change their enrollment from one plan to another. (Education Code 7000)

If a retired certificated employee or surviving spouse fails to enroll during the initial enrollment period, further opportunity to do so may be denied. A person who has previously received but then voluntarily terminated coverage also may be excluded from obtaining further coverage. (Education Code 7000)

Continuation of Coverage

Qualified district employees, their spouses and/or their dependent children shall be offered the opportunity to continue health and disability insurance coverage when they otherwise would lose coverage due to one of the following qualifying events: (26 USC 4980B; Health and Safety Code 1366.23; Insurance Code 10128.53)

1. The death of a covered employee
2. The termination other than by reason of the employee's gross misconduct or reduction in hours of the covered employees employment

(cf. 4117.4 - Dismissal)

(cf. 4218 - Dismissal/Suspension/Disciplinary Action)

3. The divorce or legal separation of a covered employee
4. A covered employee's becoming entitled to Medicare benefits
5. A dependent child ceasing to be a dependent child of a covered employee

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The Superintendent or designee shall notify the plan administrator when a qualifying event has occurred, except that a qualified beneficiary or covered employee shall notify the plan administrator regarding a change in dependent child status, or a divorce or legal separation, within 60 days of the event or of the date that the beneficiary would lose coverage, whichever is later. (26 USC 4980B)

Continuation health coverage shall be the same as provided to similarly situated individuals under the group benefit plan. (26 USC 4980B; Health and Safety Code 1366.23)

Continuation coverage shall apply as provided by law and by the district's insurance.

However, a former employee who worked for the district for at least ten years and who is age 55 or older on the date employment ends, or his/her spouse or former spouse, may continue benefits until he/she reaches age 65.

Disability Insurance

The Superintendent or designee shall give notice of disability insurance rights and benefits to each new employee and each employee leaving work due to pregnancy or nonoccupational illness or injury. (Unemployment Insurance Code 2613)

(cf. 4161 - Leaves)

(cf. 4161.1/4261.1 - Personal Illness/Injury Leave)

(cf. 4161.8/4261.8/4361.8 - Family Care and Medical Leave)

(cf. 4261.1 - Personal Illness and Injury Leave)

(cf. 4361 - Leaves)

When disabled by an injury resulting from a violent act sustained while performing their job duties, certificated and classified employees may continue in the district health and dental care plans upon meeting criteria specified by law. The employee shall pay all employer and employee premiums and related administrative costs. (Education Code 7008)

Legal Reference:

EDUCATION CODE

7000-7008 Health and welfare benefits, retired certificated employees

35208 Liability insurance

35214 Liability insurance (self-insurance)

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Legal Reference: (continued)

44041 Deductions in salary payment as requested by employee

44042 Payroll deductions for collection of insurance premium

44986 Leave of absence for disability allowance applicant

45136 Benefits for classified

GOVERNMENT CODE

22156 Medicare coverage for school district employees

22751-22883 Public Employees' Medical and Hospital Care Act

22858 Application of education code provisions relating to mandatory inclusion of certain retirees in local health and welfare benefit plans

22859 Participation in Medicare reimbursement program

53200-53210 Group insurance, especially:

53200 Definitions: group insurance, local agency; health and welfare benefits, employees

HEALTH AND SAFETY CODE

1366.20-1366.28 Cal-COBRA program, health insurance

1373.621 Continuation coverage, age 60 or older after five years with district

INSURANCE CODE

10116.5 Continuation coverage, age 60 or older after five years with district

10128.50-10128.58 Cal-COBRA program, disability insurance

UNEMPLOYMENT INSURANCE CODE

2613 Education program; notice of rights and benefits

UNITED STATES CODE, TITLE 26

4980B Failure to satisfy continuation coverage

UNITED STATES CODE, TITLE 29

1161-1168 COBRA continuation coverage

UNITED STATES CODE, TITLE 42

1395-1395ggg Medicare benefits

Policy Adopted: March 23, 1987

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