

Personnel

HEALTH AND WELFARE BENEFITS

BP 4154 (a)

BP 4254 (a)

BP 4354 (a)

The district shall provide health and welfare benefits for certificated and classified employees in bargaining units in accordance with state and federal law and subject to negotiated employee agreements.

(cf. 4140/4240 - Bargaining Units)

(cf. 4141/4241 - Collective Bargaining Agreement)

Certificated management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefit coverage as those specified in the collective bargaining agreement for certificated employees. Classified management, administrative, and supervisory employees who are not in bargaining units shall receive the same health and welfare benefit coverage as those specified in the collective bargaining agreement for classified employees.

(cf. 4300 - Administrative and Supervisory Personnel)

For purposes of granting benefits pursuant to state law, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child. (Family Code 297.5)

The Superintendent or designee shall not use or disclose any medical information the district possesses pertaining to an employee without the employee's authorization obtained in accordance with Civil Code 56.21, except for the purpose of administering and maintaining employee benefit plans and for other purposes specified in law. (Civil Code 56.20)

(cf. 4112.6/4212.6/4312.6 - Personnel Records)

Continuation of Coverage

Retired employees, other employees who would otherwise lose coverage due to a qualifying event specified in law and administrative regulation, and their qualified beneficiaries may continue to participate in the district's group health and welfare benefits in accordance with state and federal law.

The district contribution toward continuation health coverage for covered employees and their qualified beneficiaries shall be the same as for current employees participating in the group health plan.

Legal Reference:

EDUCATION CODE

7000-7008 *Health and welfare benefits, retired certificated employees*

17566 *Self-insurance fund*

35208 *Liability insurance*

35214 *Liability insurance (self-insurance)*

44041-44042 *Payroll deductions for collection of premiums*

44986 *Leave of absence, state disability benefits*

45136 *Benefits for classified employees*

CIVIL CODE

56.10-56.16 *Disclosure of information by medical providers*

56.20-56.245 *Use and disclosure of medical information by employers*

FAMILY CODE

297-297.5 *Rights, protections and benefits under law; registered domestic partners*

GOVERNMENT CODE

22750-22944 *Public Employees' Medical and Hospital Care Act*

53200-53210 *Group insurance*

HEALTH AND SAFETY CODE

1366.20-1366.29 *Cal-COBRA program, health insurance*

1367.08 *Disclosure of fees and commissions paid related to health care service plan*

1373 *Health services plan, coverage for dependent children over 18 who are full-time students*

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

1374.58 *Coverage for registered domestic partners, health service plans and health insurers*

INSURANCE CODE

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

10128.50-10128.59 *Cal-COBRA program, disability insurance*

10277-10278 *Group and individual health insurance, coverage for dependent children*

10604.5 *Annual disclosure of fees and commissions paid*

12670-12692.5 *Conversion coverage*

LABOR CODE

2800.2 *Notification of conversion and continuation coverage*

4856 *Health benefits for spouse of peace officer killed in performance of duties*

UNEMPLOYMENT INSURANCE CODE

2613 *Education program; notice of rights and benefits*

UNITED STATES CODE, TITLE 1

7 *Definition of marriage, spouse*

UNITED STATES CODE, TITLE 26

139C *COBRA premium assistance, elimination of subsidy for high-income individuals*

4980B *COBRA continuation coverage*

6432 *COBRA premium assistance*

6720C *COBRA premium assistance, failure to notify health plan of cessation of eligibility*

UNITED STATES CODE, TITLE 29

1161-1168 *COBRA continuation coverage*

UNITED STATES CODE, TITLE 42

1395-1395g *Medicare benefits*

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 *COBRA continuation coverage*

CODE OF FEDERAL REGULATIONS, TITLE 45

164.500-164.534 *Health Insurance Portability and Accountability Act (HIPAA)*

Management Resources:

INTERNAL REVENUE SERVICE GUIDANCE

Premium Assistance for COBRA Benefits, Notice 2009-27

WEB SITES

CSBA: <http://www.csba.org>

California Department of Industrial Relations: <http://www.dir.ca.gov>

California Employment Development Department: <http://www.edd.ca.gov>

Internal Revenue Service: <http://www.irs.gov>

U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services: <http://www.cms.hhs.gov>

U.S. Department of Labor: <http://www.dol.gov>