

HEALTH AND WELFARE BENEFITS

The Governing Board recognizes that health and welfare benefits are essential to promote employee health and productivity and are an important part of the compensation offered to employees. The district shall provide health and welfare benefits for employees in accordance with state and federal law and subject to negotiated employee agreements.

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

For purposes of granting benefits, a registered domestic partner and his/her child shall have the same rights, protections, and benefits as a spouse and spouse's child.

The district shall offer full-time employees who work an average of 30 hours or more per week and their dependents up to age 26 years a health insurance plan that includes coverage for essential health benefits, pays at least 60 percent of the medical expenses covered under the terms of the plan, and meets all other requirements of the federal Patient Protection and Affordable Care Act.

With respect to eligibility to participate in the health benefits plan or the level of health benefits provided, the district shall not discriminate in favor of employees who are among the highest paid 25 percent of all district employees.

CONTINUATION OF COVERAGE

Retired certificated 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 and collective bargaining agreements.

CONFIDENTIALITY

The Superintendent or designee shall not use or disclose any employee's medical information the district possesses 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.

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
300	Definition of marriage

GOVERNMENT CODE

12940	Discrimination in employment
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 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
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UNITED STATES CODE, TITLE 1

7	Definition of marriage, spouse
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UNITED STATES CODE, TITLE 26

105	Self-insured medical reimbursement plan; definition of highly compensated individual
4980B	COBRA continuation coverage

PERSONNEL

4154; 4254; 4354

4980H Penalty for noncompliance with employer-provided health care requirements
5000A Minimum essential coverage
6056 Report of health coverage provided to employees

UNITED STATES CODE, TITLE 29

1161-1168 COBRA continuation coverage

UNITED STATES CODE, TITLE 42

300gg-300gg95 Patient Protection and Affordable Care Act, especially:
300gg-16 Group health plan; nondiscrimination in favor of highly compensated individuals
1395-1395g Medicare benefits

CODE OF FEDERAL REGULATIONS, TITLE 26

54.4980B-1-54.4980B-10 COBRA continuation coverage
54.4980H-1-54.4980H-6 Patient Protection and Affordable Care Act
1.105-11 Self-insured medical reimbursement plan

CODE OF FEDERAL REGULATIONS, TITLE 45

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

Management Resources:

CALIFORNIA SCHOOL BOARDS ASSOCIATION PUBLICATIONS

Health Policy: Implications of Covered California for School Boards, Districts and Personnel, Governance Brief, January 2013

INTERNAL REVENUE SERVICE NOTICES

2011-1 Affordable Care Act Nondiscrimination Provisions Applicable to Insured Group Health Plans

U.S. DEPARTMENT OF TREASURY PUBLICATIONS

Fact Sheet: Final Regulations Implementing Employer Shared Responsibility Under the Affordable Care Act (ACA) for 2015

WEB SITES

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