

Policy 4354: Health And Welfare Benefits

Status: ADOPTED

Original Adopted Date: 07/01/2009 | **Last Revised Date:**
10/01/2015 | **Last Reviewed Date:** 10/01/2015

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.

Employees who are not in bargaining units shall receive health and welfare benefits as specified in Board policy and administrative regulation.

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. (Family Code 297.5, 300)

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. (26 USC 105; 42 USC 300gg-16)

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.

Unless otherwise provided for in the applicable collective bargaining agreement, covered employees and their qualified beneficiaries may receive continuation coverage by paying the premiums, dues, and other charges, including any increases in premiums, dues, and costs incurred by the district in administering the program.

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. (Civil Code 56.20)

State

Civ. Code 56.10-56.16
 Civ. Code 56.20-56.245
 Ed. Code 17566
 Ed. Code 35208
 Ed. Code 35214

Ed. Code 44041-44042
 Ed. Code 44986
 Ed. Code 45136
 Ed. Code 7000-7008
 Fam. Code 297-297.5

Fam. Code 300
 Gov. Code 12940
 Gov. Code 22750-22944
 Gov. Code 53200-53210
 H&S Code 1366.20-1366.29
 H&S Code 1367.08

H&S Code 1373
 H&S Code 1373.621

H&S Code 1374.58

Ins. Code 10116.5

Ins. Code 10128.50-10128.59
 Ins. Code 10277-10278

Ins. Code 10604.5
 Ins. Code 12670-12692.5
 Lab. Code 2800.2
 Lab. Code 4856

Unemp. Ins. Code 2613

Federal

1 USC 7
 26 CFR 1.105-11
 26 CFR 54.4980B-1-54.4980B-10
 26 CFR 54.4980H-1-54.4980H-6
 26 USC 105

26 USC 4980B
 26 USC 4980H

26 USC 5000A
 26 USC 6056
 29 USC 1161-1168
 42 USC 1395-1395g
 42 USC 300gg-16

42 USC 300gg-300gg95
 45 CFR 164.500-164.534

Management Resources

CSBA Publication

Internal Revenue Service Notification

U.S. Department of Treasury Publication

Description

Disclosure of information by medical providers
Use and disclosure of medical information by employers
Self-insurance fund
Liability insurance
Liability insurance (self-insurance or a combination of self-insurance and insurance through an insurance company)
Payroll deductions for collection of premiums
Leave of absence; state disability benefits
Benefits for classified employees
Health and welfare benefits; retired certificated employees
Rights, protections, benefits under the law; registered domestic partners
Definition of marriage
Unlawful discriminatory employment practices
Public Employees' Medical and Hospital Care Act
Group insurance
Cal-COBRA program; health insurance
Disclosure of fees and commissions paid related to health care service plan
Health services plan; coverage for dependent children
Continuation coverage; age 60 or older after five years with district
Coverage for registered domestic partners; health service plans and health insurers
Continuation coverage; age 60 or older after five years with district
Cal-COBRA program; disability insurance
Group and individual health insurance; coverage for dependent children
Annual disclosure of fees and commissions paid
Conversion coverage
Notification of availability of continuation health coverage
Health benefits for spouse of peace officer killed in performance of duties
Disability insurance; notice of rights and benefits

Description

Definition of marriage and spouse
 Self-insured medical reimbursement plan
 COBRA continuation coverage
 Patient Protection and Affordable Care Act
 Self-insured medical reimbursement plan; definition of highly compensated individual
 COBRA continuation coverage
 Penalty for noncompliance with employer-provided health care requirements
 Minimum essential coverage
 Report of health coverage provided to employees
 COBRA continuation coverage
 Medicare benefits
 Group health plan; nondiscrimination in favor of highly compensated individuals
 Patient Protection and Affordable Care Act
 Privacy of individually identifiable health information

Description

Health Policy: Implications of Covered California for School Boards, Districts and Personnel, Governance Brief, January 2013
 2011-1 Affordable Care Act Nondiscrimination Provisions
 Applicable to Insured Group Health Plans
 Fact Sheet: Final Regulations Implementing Employer Shared Responsibility Under the Affordable Care Act (ACA) for 2015

Website	<u>CSBA District and County Office of Education Legal Services</u>
Website	<u>U.S. Department of Health and Human Services, Centers for Medicare and Medicaid Services</u>
Website	<u>California Employment Development Department</u>
Website	<u>Internal Revenue Service</u>
Website	<u>U.S. Department of Labor</u>
Website	<u>CSBA</u>

Code	Description
1340	<u>Access To District Records</u>
1340	<u>Access To District Records</u>
2121	<u>Superintendent's Contract</u>
3100	<u>Budget</u>
3100	<u>Budget</u>
3460	<u>Financial Reports And Accountability</u>
3460	<u>Financial Reports And Accountability</u>
3530	<u>Risk Management/Insurance</u>
3530	<u>Risk Management/Insurance</u>
4030	<u>Nondiscrimination In Employment</u>
4030	<u>Nondiscrimination In Employment</u>
4112.6	<u>Personnel Files</u>
4112.9	<u>Employee Notifications</u>
4112.9-E(1)	<u>Employee Notifications</u>
4113.5	<u>Working Remotely</u>
4117.11	<u>Preretirement Part-Time Employment</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4118	<u>Dismissal/Suspension/Disciplinary Action</u>
4121	<u>Temporary/Substitute Personnel</u>
4121	<u>Temporary/Substitute Personnel</u>
4140	<u>Bargaining Units</u>
4141	<u>Collective Bargaining Agreement</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4141.6	<u>Concerted Action/Work Stoppage</u>
4151	<u>Employee Compensation</u>
4157.1	<u>Work-Related Injuries</u>
4161	<u>Leaves</u>
4161	<u>Leaves</u>
4161.1	<u>Personal Illness/Injury Leave</u>
4161.11	<u>Industrial Accident/Illness Leave</u>
4161.8	<u>Family Care And Medical Leave</u>
4212.6	<u>Personnel Files</u>
4212.9	<u>Employee Notifications</u>
4212.9-E(1)	<u>Employee Notifications</u>
4213.5	<u>Working Remotely</u>
4217.11	<u>Preretirement Part-Time Employment</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4218	<u>Dismissal/Suspension/Disciplinary Action</u>
4240	<u>Bargaining Units</u>
4241	<u>Collective Bargaining Agreement</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4241.6	<u>Concerted Action/Work Stoppage</u>
4251	<u>Employee Compensation</u>
4257.1	<u>Work-Related Injuries</u>
4261	<u>Leaves</u>
4261	<u>Leaves</u>
4261.1	<u>Personal Illness/Injury Leave</u>
4261.11	<u>Industrial Accident/Illness Leave</u>
4261.8	<u>Family Care And Medical Leave</u>
4300	<u>Administrative And Supervisory Personnel</u>
4300	<u>Administrative And Supervisory Personnel</u>
4312.6	<u>Personnel Files</u>

4312.9	<u>Employee Notifications</u>
4312.9-E(1)	<u>Employee Notifications</u>
4313.5	<u>Working Remotely</u>
4317.11	<u>Preretirement Part-Time Employment</u>
4340	<u>Bargaining Units</u>
4351	<u>Employee Compensation</u>
4357.1	<u>Work-Related Injuries</u>
4361	<u>Leaves</u>
4361	<u>Leaves</u>
4361.1	<u>Personal Illness/Injury Leave</u>
4361.11	<u>Industrial Accident/Illness Leave</u>
4361.8	<u>Family Care And Medical Leave</u>
9250	<u>Remuneration, Reimbursement And Other Benefits</u>
9250-E(1)	<u>Remuneration, Reimbursement And Other Benefits</u>