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INSURANCE CODE - INS

DIVISION 2. CLASSES OF INSURANCE [1880 - 12880.8] (*Division 2 enacted by Stats. 1935, Ch. 145.)*

PART 6.2. HEALTHY FAMILIES [12693 - 12694.2] (*Part 6.2 added by Stats. 1997, Ch. 623, Sec. 2.)*

CHAPTER 11. Protection Against Substitution of Benefits [12693.80 - 12693.84] (*Chapter 11 added by Stats. 1997, Ch. 623, Sec. 2.)*

12693.80. The board shall use due diligence in the creation of participation standards for the program that minimize the incentive for employers or applicants to drop or reduce dependent health coverage.

(*Added by Stats. 1997, Ch. 623, Sec. 2. Effective January 1, 1998.*)

12693.81. (a) It shall constitute unfair competition for purposes of Chapter 5 (commencing with Section 17200) of Part 2 of Division 7 of the Business and Professions Code for an insurer, an insurance agent or broker, or an administrator, as defined in Section 1759, to refer an individual employee or employee's dependent to the program, or arrange for an individual employee or employee's dependent to apply for the program, for the purpose of separating that employee or employee's dependent from group health coverage in connection with the employee's employment.

(b) Any employee applicant in subdivision (a) shall have personal right of action to enforce subdivision (a).

(*Added by Stats. 1997, Ch. 623, Sec. 2. Effective January 1, 1998.*)

12693.82. It shall constitute an unfair labor practice contrary to public policy, and enforceable under Section 95 of the Labor Code, for any employer to refer an individual employee or employee's dependent to the program, or to arrange for an individual employee or employee's dependent to apply to the program, for the purpose of separating that employee or employee's dependent from group health coverage provided in connection with the employee's employment.

(*Added by Stats. 1997, Ch. 623, Sec. 2. Effective January 1, 1998.*)

12693.83. (a) It shall constitute an unfair labor practice contrary to public policy and enforceable under Section 95 of the Labor Code for any employer to change the employee-employer share-of-cost ratio based upon the employee's wage base or job classification or to make any modification of coverage for employees and employee's dependents in order that the employees or employee's dependents enroll in the program established pursuant to this part.

(*Added by Stats. 1997, Ch. 623, Sec. 2. Effective January 1, 1998.*)

12693.84. For purposes of Sections 12693.82 and 12693.83, group health coverage includes any group disability insurance policy covering hospital, medical, or surgical expenses, group health care service plan contract, or self-insured employee welfare benefit plan.

(*Added by Stats. 1997, Ch. 623, Sec. 2. Effective January 1, 1998.*)