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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 3. Creation of Program and Powers of the Board [12693.20 - 12693.23] (*Chapter 3 added by Stats. 1997, Ch. 623, Sec. 2.*)

12693.20. The Healthy Families Program is hereby created and shall be administered by the Managed Risk Medical Insurance Board.

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

12693.21. The board may do all of the following consistent with the standards in this part:

- (a) Determine eligibility criteria for the program.
- (b) Determine the participation requirements of applicants, subscribers, purchasing credit members, and participating health, dental, and vision plans.
- (c) Determine when subscribers' coverage begins and the extent and scope of coverage.
- (d) Determine family contribution amount schedules and collect the contributions.
- (e) Determine who may be a family contribution sponsor and provide a mechanism for sponsorship.
- (f) Provide or make available subsidized coverage through participating health, dental, and vision plans, in a purchasing pool, which may include the use of a purchasing credit mechanism, through supplemental coverage, or through coordination with other state programs.
- (g) Provide for the processing of applications, the enrollment of subscribers, and the distribution of purchasing credits.
- (h) Determine and approve the benefit designs and copayments required by health, dental, or vision plans participating in the purchasing pool component program.
- (i) Approve those health plans eligible to receive purchasing credits.
- (j) Enter into contracts.
- (k) Sue and be sued.
- (l) Employ necessary staff.
- (m) Authorize expenditures from the fund to pay program expenses that exceed subscriber contributions, and to administer the program as necessary.
- (n) Maintain enrollment and expenditures to ensure that expenditures do not exceed amounts available in the Healthy Families Fund and if sufficient funds are not available to cover the estimated cost of program expenditures, the board shall institute appropriate measures to limit enrollment.
- (o) Issue rules and regulations, as necessary. Until January 1, 2000, any rules and regulations issued pursuant to this subdivision may be adopted as emergency regulations in accordance with the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). The adoption of these regulations shall be deemed an emergency and necessary for the immediate preservation of the public peace, health, and safety or general welfare. The regulations shall become effective immediately upon filing with the Secretary of State.
- (p) Exercise all powers reasonably necessary to carry out the powers and responsibilities expressly granted or imposed by this part.
- (q) Notwithstanding any other provision of law, on and after January 1, 2011, impose any sanction on, and provide notice and a hearing to, participating health, dental, and vision plans consistent with Section 403 of the federal Children's Health Insurance

Program Reauthorization Act of 2009 (Public Law 111-3) by applying subsection (e) of Section 1932 of the federal Social Security Act.

(Amended by Stats. 2010, Ch. 717, Sec. 26. (SB 853) Effective October 19, 2010.)

12693.22. During the 2009–10 and 2010–11 fiscal years, the adoption and readoption of regulations to modify health, dental, and vision benefits or otherwise modify program requirements and operations consistent with the provisions of this part shall be deemed to be an emergency and necessary for the immediate preservation of public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the board is hereby exempted from the requirement that it describe facts showing the need for immediate action and from review by the Office of Administrative Law.

(Added by Stats. 2009, Ch. 157, Sec. 2. (AB 1422) Effective September 22, 2009.)

12693.23. Until July 1, 2012, the adoption and readoption of regulations to implement subdivision (q) of Section 12693.21, subdivision (b) of Section 12693.26, or subdivision (l) of Section 56.30 of the Civil Code, or any provision of the federal Children's Health Insurance Program Reauthorization Act of 2009 (Public Law 111-3) not addressed by those sections, shall be deemed to be an emergency and necessary for the immediate preservation of the public peace, health and safety, or general welfare for purposes of Sections 11346.1 and 11349.6 of the Government Code, and the board is hereby exempted from the requirement that it describe facts showing the need for immediate action and from review by the Office of Administrative Law.

(Added by Stats. 2010, Ch. 717, Sec. 27. (SB 853) Effective October 19, 2010.)