

## **§ 1389. Petition to reinstate license**

(a) A person whose license has been revoked, or suspended for more than one year, may petition the director to reinstate the license as provided by Section 11522 of the Government Code. No petition may be considered if the petitioner is under criminal sentence for a violation of this chapter, or any offense which would constitute grounds for discipline, or denial of licensure under this chapter, including any period of probation or parole.

(b) A person who is barred, or suspended for more than one year, from acting as a solicitor or solicitor firm pursuant to Section 1388, or who is subject to an order, pursuant to subdivision (c) of Section 1386 or subdivision (d) of Section 1388, which by its terms is effective for more than one year, may petition the director to reduce by order such penalty in a manner generally consistent with the provisions of Section 11522 of the Government Code. No petition may be considered if the petitioner is under criminal sentence for a violation of this chapter, or any offense which would constitute grounds for discipline under this chapter, including any period of probation or parole.

(c) The petition for restoration shall be in the form prescribed by the director and the director may condition the granting of such petition upon such additional information and undertakings as the director may require in order to determine whether such person, if restored, would engage in business in full compliance with the objectives and provisions of this chapter and the rules and regulations adopted by the director pursuant to this chapter.

(d) The director may, by rule, prescribe a fee not to exceed five hundred dollars (\$500) for the filing of a petition for restoration pursuant to this section. In addition, the director may condition the granting of such a petition to a plan upon payment of the assessment due and unpaid pursuant to subdivision (b) of Section 1356 as of the 15th day of December occurring within the preceding 12-calendar months and, if the plan's suspension or revocation was in effect for more than 12 months, upon the filing of a new plan application and the payment of the fee prescribed by subdivision (a) of Section 1356.

### **HISTORY:**

Added Stats 1975 ch 941 § 2, operative July 1, 1976. Amended Stats 1976 ch 652 § 8, effective August 28, 1976, operative July 1, 1976;

Stats 1979 ch 1083 § 17; Stats 1999 ch 525 § 135 (AB 78), effective January 1, 2000 operative July 1, 2000.

## **ARTICLE 7.5**

### **Underwriting Practices**

Section

1389.1. Applications for coverage; HIV test prohibition.

1389.2. Written statement of actuarial basis.

## Section

- 1389.21. Proscription against rescission, cancellation, or limitation of policy, or rise in premiums after 24 months following issuance of health care service plan contract.
- 1389.25. Written notice required for changes in premium rate or coverage for individual plan contract; Information on new coverage options in case of rejection.
- 1389.3. Postclaims underwriting.
- 1389.4. Written policies required; Filing; Posting (Inoperative; Operative date contingent).
- 1389.4. Written policies required; Filing; Exceptions (Operative term contingent).
- 1389.5. Right to transfer to another individual plan (Inoperative; Operative date contingent).
- 1389.6. Compensation of a person or entity employed or contracted; Performance goals or quotas.
- 1389.7. Issuance of new individual plan contract where contract rescinded; Premium rate; Preexisting condition provision; Notice; Contract effective date (Inoperative; Operative date contingent).
- 1389.7. Issuance of new individual plan contract where contract rescinded; Premium rate; Preexisting condition provision; Notice; Contract effective date; Applicability (Operative term contingent).
- 1389.8. Duty with regard to assisting applicant for a health care service plan; Attestation; Civil penalty.