

Introduced by Senator KnightJanuary 28, 1998

An act to add Section 1368.05 to the Health and Safety Code, relating to health care service plans.

LEGISLATIVE COUNSEL'S DIGEST

SB 1443, as introduced, Knight. Health care service plans: complaints: Internet address.

Existing law provides for the licensure and regulation of health care service plans administered by the Commissioner of Corporations. Under existing law, willful violation of any of these provisions is punishable as either a felony or a misdemeanor.

This bill would require the commissioner to establish and maintain an online form on its Internet website for the purpose of receiving complaints regarding health care service plans regulated by the commissioner, and would require every health care service plan to publish this Internet address, on every new plan contract, on every evidence of coverage, on copies of plan grievance procedures, on plan complaint forms, and on all written notices to enrollees required under the grievance process of the plan.

Since a willful violation of the provisions applicable to health care service plans is a crime, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.



This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 1368.05 is added to the Health
2 and Safety Code, to read:

3 1368.05. (a) The commissioner shall establish and
4 maintain an online form on its Internet website for the
5 purpose of receiving complaints regarding health care
6 service plans regulated by the commissioner.

7 (b) Every health care service plan shall publish the
8 Internet address required by this section on every new
9 plan contract, on every evidence of coverage, on copies
10 of plan grievance procedures, on plan complaint forms,
11 and on all written notices to enrollees required under the
12 grievance process of the plan. The Internet address shall
13 be displayed by the plan in each of these documents in
14 12-point boldface type in the following regular type
15 statement:

16 “The California Department of Corporations is
17 responsible for regulating health care service plans. The
18 department has an Internet address [www.internet
19 address] to receive complaints regarding health care
20 service plans. If you have a grievance against a health care
21 service plan, you should contact the plan and use the
22 plan’s grievance process. If you need the department’s
23 help with a complaint involving an emergency grievance
24 or with a grievance that has not been satisfactorily
25 resolved by the plan, you may contact the department via
26 electronic mail at its Internet address.”

27 SEC. 2. No reimbursement is required by this act
28 pursuant to Section 6 of Article XIII B of the California
29 Constitution because the only costs that may be incurred
30 by a local agency or school district will be incurred
31 because this act creates a new crime or infraction,
32 eliminates a crime or infraction, or changes the penalty
33 for a crime or infraction, within the meaning of Section



1 17556 of the Government Code, or changes the definition
2 of a crime within the meaning of Section 6 of Article
3 XIII B of the California Constitution.

4 Notwithstanding Section 17580 of the Government
5 Code, unless otherwise specified, the provisions of this act
6 shall become operative on the same date that the act
7 takes effect pursuant to the California Constitution.

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