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National Center for Lesbian Rights

THE CALIFORNIA INSURANCE EQUALITY ACT HOW TO USE IT AND WHAT IT MEANS FOR YOU AND YOUR FAMILY

What is the California Insurance Equality Act?

- The California Insurance Equality Act (AB 2208) is a non-discrimination statute that prohibits insurance providers from issuing policies or plans that treat registered domestic partners and married spouses differently. It requires all policies and plans that provide benefits to spouses or registered domestic partners to provide them to both categories and do so in an identical manner.

Does the bill apply to all types of insurance?

- Yes, in addition to health insurance plans (including managed care plans), the Act applies to auto, rental, disability, life, and all other forms of insurance regulated by the Department of Insurance.

How does the Act prohibit discrimination against registered domestic partners?

- The Act makes it illegal for an insurance provider to issue any insurance policy or plan that fails to provide the same coverage, with the same terms and conditions, for registered domestic partners that is provided for spouses. For example, a car insurance company that automatically extends coverage to the spouse of a policy holder must also provide the same coverage to the registered domestic partner of a policy holder. Similarly, employers will not be able to purchase health insurance that provides coverage for their employees' spouses but does not provide identical coverage for their employees' domestic partners.

Does the law require employers to provide coverage for spouses and registered domestic partners?

- The law does not require employers to provide coverage for spouses or registered domestic partners. If the employer does provide coverage for spouses, however, the employer will only be able to buy a plan that provides equal coverage for registered domestic partners

Who authored the Act?

- The Act was authored by Assemblywoman Christine Kehoe and sponsored by Equality California and Insurance Commissioner Garamendi. Governor Schwarzenegger signed the bill into law on September 13, 2004.

When does the Act go into effect?

- The new law goes into effect on January 2, 2005 for group health insurance plans and on January 1, 2005 for other types of insurance.

How is the law enforced? What do I do if my insurance company refuses to provide equal coverage for my registered domestic partner?

- For any problems concerning managed health care plans and health maintenance organizations, consumers should contact the Department of Managed Health Care at 888-466-2219. Their website is <http://www.dmhc.ca.gov>. For problems concerning other types of insurance, consumers should contact the Consumer Services Division of the California Department of Insurance, at 800-927-HELP (4357). Their website is <http://www.insurance.ca.gov/docs/FS-Consumer.htm>.

For more information about registering as domestic partners with the State of California, visit the Secretary of State's website at <http://www.ss.ca.gov/dpregristry/>.

For more information, contact:

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www.nclrights.org

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