



The role and position of public insurance laws in guaranteeing citizenship rights

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ABSTRACT

Citizenship rights can be defined as a collection of formula that governs the individual's relationship in the society. Citizenship rights observe natural human rights and are inalienable cannot be violated, eternal and everlasting. These rights include the rights of social justice, physical and mental security for all citizens, enjoying social security and individuals in the society to support unemployment insurance, the right of public health and etc. Although the content mentioned in the Bill of Rights is all reckoned to be hopeful concepts and reasonable, but the existing challenge about citizenship rights is how to achieve the citizenship right certainly. On the other hand the public insurance plan is one of the important projects of gaining social rights, which has been implemented in Iran in the recent years. With due attention to the commission and perspective of the public insurance plan, the current study has a retrospective and descriptive approach towards considering the health insurance position for guaranteeing citizenship rights. Therefore first the concept of citizenship rights and public insurance has been discussed from different dimensions, in order to make clear the essence and exact definition of the concepts. Afterwards according to previous studies and cite circumstantial evidence, the position of health insurance in guaranteeing citizenship rights has been proceeded.

Keywords: insurance, social citizenship right, public insurance, social justice.

1. Introduction

Nowadays in the world of business, service industries have a great share. Among these service industries, insurance industry can be highlighted, which has caused the daily increase in social development and at the same time plays an outstanding role in the growth of different parts of economic and also with covering the damage loss happened through economical and development activities, has increased the capitalist motivation (Ferrarini, 2014). In a world that various accidents threaten the life and property of humans, insurance is a suitable technique to transfer the risk of these accidents from individual to insurance companies. Insurance is an agreement between the insurer and insured for a specified premium, and if the loss mentioned in the content of the insurance policy occurs for the insured, the insurer has to compensate to a certain price ceiling. Insurance companies present various productions. Each of these productions covers a part of accidents (Arabi&Sabtfard, 2016).

The history of danger is as ancient as the history of human beings and its result is loss, damage and ruin. Ever since human creation, it has been consistently along humans and an anxious occupation for human beings. At first, danger was not that extensive widespread, because of the fact that the capital was little. The reaction towards risk, with due attention to their nature, can be encountered in different ways and the most important and effective method is switching risk towards the insurer (insurance companies). The role of insurer is to organize a great society of the insured, who are liable to a unique risk. Insurer calculates with the use of statistics, estimation of probability and past experience the risk expense (premium) professionally and adds a sum for the operational activity and a reasonable profit for itself, in order to obtain an insurance trade right. The greater the numbers of the insured, according to law, greater numbers are more realistic to the prediction of the insurer and therefore the premium he receives according to his calculation, is accountable to his commitment (Mahmoudiet al.,2015).

Many countries struggle and effort for providing a society with common welfare, has the same aspect, especially politically to be united. Comparative study of rules related to social security system in their correlation and communication shows the amends conclusion of different incidents. Accidents and incidents, which cause imbalance in families' expenses and income is terminology called 'social risk'. The main fruit stone of social security policy is the organization amends of consequences and conclusions of social incident and accidents (risk, social danger). Some incidents and events may differ from one country to the other concerning the providing of social security, but some of them for example diseases and accidents occurring during work are almost in all societies impurities (Mohammadiet al.,2012).

Insurance has a great prominent share of apportion for economic activities in Iran. Also other industrial and service activities are related completely to the insurance section, and without a suitable insurance, economic growth and movement is impossible or very slow. Despite the extent and importance of contracts and insurance activities in Iran, unfortunately there has been little attention paid to insurance right and many civil rules and regulation related toward it, is ambiguous and vague (Keshavarzet al.,2011).

Considerably through studying the related literature, it shows that these problems are not only focused in Iran, rather in many other countries the role and responsibility of public insurance for guarantying social right is not clear. For example, Somers et al. (2016) indicated through studying the public insurance situation in a couple of countries that in many cases there is no accurate information about the responsibility of public insurance guarantying citizenship rights. In another study, Babanet al.(2017), report that most of the Turkish citizens do not have enough information about the responsibility of insurance companies towards citizenship rights, and this reason caused deceives from the insurance companies. This issue has specially happened to individuals with another nationality, who has received the Turkish citizenship newly, considering the importance of public insurance situation in protecting citizenship rights, in this present study, the role and situation of public insurance rules for guarantying citizenship rights has been studied.

2. Literature Review

Public Insurance

Public insurance has been an innovated in relation to individual's health insurance. Undoubtedly it is one of the most effective steps of Iran's insurance system. Statistics show that about six million Iranians do not have a basic insurance. About two million of them have registered in this health project. Not having insurance for this population, who are eight percent of the Iranian population, has many dangers. The most important danger is that the probable huge expenses of medical care, can lead them towards poverty. The severe of this problem is once specified that one understands that eighty five percent of the once who do not have insurance are the poor. The Iran health insurance department is missioned to obtain a decrease in financial risks, through expanding and development of public insurance basic health, possibility of righteously beneficiary of suitable services, efficacious and protection for improvement of the whole society's health (Rezaiet al.,2016).

Twenty three years ago the act of public insurance health service was passed by the Islamic Iranian parliament, and subsequently the health service insurance department was organized. The goal of this department is to supply social health, medical care services, intensive care during incidents and accidents as a public insurance for state employers and optional insured. The department has signed contracts with all state hospitals and state social health centers, some hospitals, clinics, laboratories, drug stores and medical doctors in private sections to proceed services to its own insured. Consequently, when the insured refers to a clinical center, that has a contract with the insurance department, he or she has to pay only a part of the expenses, asdeduct and the rest of the expenses are covered by the insurance department (Rahmaniet al.,2014).

Public health insurance is a part of Iran's fifth development program. According to the fifth development program, in order to accumulate financial health service sources, avoiding the coverage of various health insurance, establishment of social justice in the health department, providing a completely covered health insurance, resembling policies and executive procedures in the health insurance field, establishment of contract affairs center, organizing health files, activation of reference system and family doctors and decreasing individual share from medical

expenses to thirty percent of the health insurance system. The enrollment term and receiving the insurance health booklet is not to be covered by any other medical health insurance cases and insurance departments.

Citizenship Rights

The definition of rights is the plural form of the word 'right' and means latitude, abilities and capabilities according to virtue, religious, secular law and conventional given to human beings and terminologically it is the foundation, principles and regulation, which organize human beings relation towards private law and rulers relation and obedient relation in public and fundamental rights. In fact a collection of equity is the procession of individual validity position and also a common application on a collection of privileges related to citizenship and as well as a collection of regulation that governs their position in the society. Indigenous generosity is reckoned as the base of human rights. Individuals similar as humans appeared in post societies were fortunate with human rights and during the post society, the appearance of governments and rulers of states claimed their own human rights. Patriarchy governments, because of exercising their force and 'for supporting, identifying and observance of law and public freedom and for appropriate ethic accuracy and public discipline and welfare' are compelled to change and restriction individual rights. In this political- legislative citizen assembly, any waste and development in human beings right instance leads to citizenship rights position (Habibzadeh *et al.*, 2016).

Possessor of these rights is called citizen and it is applicable for each person living in the society, disregarding the hierarchical order, distinct the situation of individuals, existence of circumstances for recognition of individual governors and governments and oppositely based on multilateral interrelation between the government, society and citizens and also the existence of cooperation between ethic and active situation, in other words the collection of rights and privileges, which is given to the citizen of a country, also considering two facts: human generosity and prohibition of discrimination to obtain the basis on the growth for individuals and social citizens character in the law system of each country, is named citizenship right (Ahmadi, 2016).

Larkin (2017) through descriptively studying the development of citizenship rights in the past forty years, has stated a complete definition about citizenship rights. Citizen is someone, who is under the protection of a government and has officially accepted the rules and regulation of that government and is also a part of the society, which the government has accepted fully the privileges and rights of that society, in other words in reality the government has to be a part of the society. Citizenship right is a collection of rights such as constitutional rights, employment rights, right to vote and be elected, the right of testimony in official authorities, judgment rights, fact confirmer, therefore the word mentioned is a political right (Larkin, 2017).

3. Methodology

Citizenship right has a broad definition that is involved with civil, political, economic, social and individual rights, and also affairs that are related to politics. In principle citizenship rights can be defined as a collection of regulation that governs on individual's relation in the society. Citizenship rights observe human indigenous rights and are alienable, cannot be violated, eternal

and everlasting. Therefore in defining citizenship rights the following parameters can be considered:

- 1- Something an individual has a duty toward others and deserves to.
- 2- Someone because of granted immunity from law deserves to have.
- 3- A privilege that human beings have in their social life.
- 4- Power, which goal is to establish a legal relation?

In general such definition can be presented for the nature of citizenship rights, although it is clear and proven that this definition is not comprehensive and complete. Citizenship is a social and human situation that individuals in a society privilege rights and accept their duty towards the government instead have expectations from the state to administrate justice, especially in the field of services (Habibzadehet al.,2016).

Citizenship rights is defined though social rights. These rights include the rights of social justice, physical and mental security for all citizens, enjoying social security and individuals in the society to support unemployment insurance, the right of public health and education, health and medical privileges, appointing a righteous salary, the right to have rest, entertainment and all kinds of welfare services. Ofcourse to this division with exact analysis can other rights be included such as cultural rights, for example the right of education and training, learning science; jurisprudence law for example right of defense, equality in court and etc. Some researchers believe that citizenship right is the very first right for each individual living in the society and no government or state is authorized to take it away from individuals (Ferrarini et al., 2013).

4. Finding

The Role of Public Insurance in Guaranteeing Citizenship Rights

The purpose of organizing, generalizing and conduction of insurance in Iran and also to support insured, insurers and the possessors of this right, as well as for the observance of these activities, an institute named Central Insurance has been founded according to the establishment of insurance law and insurer. This organization plays an important role in the insurance field. Regulation of the countries insurance market and conducting it through passed rules and regulations, development and generalizing commerce insurance, granting permission for the foundation of companies, correspondent network and control of insurance companies activities as governments representative in the market, accomplishment of relying compulsory affairs for insurance institutes and acceptance and granting relying insurance with national and international institutes are among the responsibilities of central insurance, which has been mentioned in law (Javari *et al.*, 1395).

Along the responsibilities of this institution, concentration on the issue of educating citizens right and on the insured right has to be noted. Through accomplishing proper activities, the Central Insurance controls over insurance companies and such instances can endeavor citizenship rights. The commence of constitutional revolution in Iran was the begin of observance for human rights and citizenship rights on behalf of the ruling system and gradually extended till today, although slow, but had continuously growing progress and never halted. Therefore the most important considerable part in observance of citizenship rights issue, is the recognition of citizenship rights

as a common denominator and after that in the implementation stage particularly by the ruling authority (legislative, administrative, judicial) in the country (Ahmadi, 2013).

According to the above content, it seems administrative social security organizations inherent citizenship rights in a great social security department's activities. It is essential first to pivot laws in all of its activities and in the execution of the whole rules and regulation. There has to be a humanitarian aspect towards citizens. Of course, since education is the confine of inherent culture, observance of citizenship rights is also reckoned cultural, that will be inherent through education. Hereupon the media has a remarkable role and interrelation between the social security department and the media experts in promoting observance of citizenship rights culture has a direct role. Therefore individuals are not familiar with the concepts and indicators of citizenship right laws and it cannot be expected from them to defend their right justly righteously and in this direction the social security department, that can make most use of the capacity of domestic and national media (Jazni&Tayebi, 2016).

In relation to the Iran's citizenship right law, administrative organizations are responsible to process within the framework of rules and regulation essential for the whole measures in increasing the public health level, preserve of fundamental life rights, desirable circumstances for life, medical and health, decrease of children's death and increase of citizens life, easy access, cheap, and extended to medical care, drugs, equipment, products and medical services, curative and hygienic according to national standards and supporting and promoting advance individual health, healthy and proper subsistence life circumstances for continuing life. The government is obligated to control the medical centers to obtain the acquisition of better medical circumstances. This article of citizenship rights in the constitution shows the importance and position of public insurance in guaranteeing citizens right, because of being fortunate of medical and health services is considered as one of the indisputable rights of a country (Rezaie *et al.*, 2016).

Health is a public right and in the Islamic Republic of Iran constitution, this fact is appointed as one of the fundamental principles in the republic. A group believes health is the natural right of the individual people of the society and governments should be concerned to bound to the providence of health expenses, another group notes the pivot of the efficacious expenses and benefit dividing expenses and equalization of sources in health section. Whatever the aspects are, the role of government's performance, depends on key effective elements during receiving the service procedure. Meanwhile the social health insurance is one of the financial supplement systems, which many health disciplines take advantage for being respondent towards providing financial for the health system. In Iran the issue of incorporating insurance is the base of medical care to increase the benefits of financial sources in the health section in order to establish such systems containing social nature. Performance of this law demands many expertise discussions from various dimensions such as access to justice, efficient improvement, guaranteeing stable sources and being respondent towards social expectations (Mohammadi *et al.*, 2012).

The goal of citizenship rights observance is to judicially support public rights for citizens who possess the right. What is important is that people to be informed about citizenship rights, because citizenship rights has not been completely described and explained for people. Most

people, because of not being informed about citizen rights, do not respect the law. Therefore until the management organization at the highest level does not observe citizenship rights, there should not be any expectations from employers and addressers to respect rules. According to law the intention for citizenship rights governs respect towards the rights of citizens within the framework of law. In the social security department with the increase of covering forty million persons in order to preserve and guard the right of accurate insurer, first there had to be an institution, group or committee organized and measures to be taken about adjudication reciprocal rights towards insured and department. In the next stage with distinguishing the legal right of addressors policy making in order to carry out the covered insured rights (Najarbashi *et al.*,2015).

It seems for acquisition of citizenship rights the most activity has to be concentrated on education and no doubt observance of citizenship rights has to be educated in the family, school and universities in order to inherent this issue. In the present circumstances with due attention to various cultural institutions, which are in the social security department entitled such as: cultural and social assistant, head administration of public relations, head administration department of international affairs, AhangAtieh culture and artistic institute and science and culture publication company ... are active. It appears at first with the appointed establishment of a unique policy in the culture and social high council, in the next stage in order to protect the people's right to persist, preserve and administrative righteous rules and regulation intended addressors and people covered insurance are measures to be taken (Ranjbarfard *et al.*, 2014).

According to the article 29 in the Islamic Republic of Iran's constitution privileged of social security such as retirement, unemployment, elderly, disabled, guardian insurance, individuals out of money on trips, incidents and accidents, need of medical and health services, intensive care as insurance and etc. are public rights. Correspondence to this article the government is entitled to consist to regulations from the public income received by the cooperation of people, services and financial support to provide for each person in the country. With due attention to the article 29 of the constitution in Iran, processing public insurance coverage is a right that is ascertain with the cooperation of people and the aid of government for all the individuals of the society. Along the ascertain of these rights, policies, programs and regulation of social security department is complicated and sent for administrative, and from this aspect whatever the administrators of this department take more steps along for ascertain the right of people, the more they have observed citizenship rights. In fact the aspect noted, law crystallizes right and spreads cultural basis of respecting law is a step towards spreading citizenship rights, in order for citizens to learn and believe in that law inherently saint and respectable topic, because it is guaranteeing their right and provides public interests (Arabiet *al.*,2016).

In order to realize citizenship rights in administrative organizations, there has to be consideration on cultural, religious, historical, political and economic facts in the society, because if the religious aspects of the society and political system of the country or the historical background of the country is not considered, it cannot be expected that solely proceeded to citizenship rights in the constitution, the execution of this right will be guaranteed in the society. For organizing

citizenship rights in the social security department, it seems that first with the creation of a cultural discourse in this field and attraction of expertise sight towards collection of instructions for facilitating service to people. Certainly in this field with the use of organizational media's capacity in the press fields and virtual space (information base) and with the use of cultural arm measures in department such as cultural and social assistant and Atieh institute of the use of high abilities of television programs, play an effective role in informing the insured population covered insurance by social security of their rights (Javari *et al.*,2016).

Public Insurance Effective Solutions on Citizenship Rights

In this part of the paper, effective increase in operational solutions in the public insurance system for guaranteeing citizenship rights is stated. It is noticeable that at present these solutions are used, but it is essential for these facts, more concentration of administrator's and interference of organization in public insurance, so citizenship rights of insured, is guarded in an effective way. Deployment of supporting public insurance is one of the useful solutions and effective for adjudication citizenship rights for Iranians. Public insurance with the goal of providing medical and health services for the whole citizens of the country edited and enforced. In the article 93 of the Bill of Rights of the country it is clearly stated that the government has to support the insured and his support includes guaranteeing competition atmosphere, control on the insurer's activities, and insurance institution, regulating the insurer and insured relation. Improvement of verification mechanism for the prosecution of insured and rest concerns. Of course the article 93 proceeding very clear and directly the Bill of Rights insurance, because if it had any other meaning or other related issues or even if we consider executive systems related, it is noticed that in at least eight other articles of the Bill of Right this issue has been proceeded. This issue is also clearly and evident in the first article of central insurance establishment, where it is stated: regarding regulation, generalization, conduction of insurance in Iran and supporting insurer and insured and their right possessors as well as governmental control on the activities of institutions in the name of Iran central insurance, according to rules this law is established as a stock company. Therefore public insurance is a fundamental solution for providing health and preserve of countries citizenship rights related to issues connected to healthy life (Jazni and Tayebi, 2016).

The second solution for effective public insurance on citizenship rights is to support aged individuals, handicapped and etc., related to providing medical and health services. Citizenship right is a public right for all individuals of the society including children, youth, elderly, impoverished, state employers, businessmen and trade agents, expertise, old and disabled individuals and etc.. Therefore one of the effective outputs of public insurance is gaining the right of medical and health services to the whole individuals. According to the law governed in the country, the government is compelled to provide the base for all citizens to have social security right services, financial supports and credits, diseases,,disabled retirement, unemployment, elderly, disabled, desertion, individuals lost and out of money away from their hometown guardian insurance, incidents and unexpected accidents, need of medical and health services, intensive care as insurance and etc. are public rights, with observance of the law. In this

direction, public insurance is a very efficient to reach the goal mentioned above (Manochehri, 2016).

Providing social welfare is also one of the facts that shows the remarkable role and position of public insurance in guaranteeing citizenship rights. According to countries citizenship rights, it is the right of each citizen to be fortunate with public welfare, social security and relieve services. No issue such as insurance can provide hope for the future among people, therefore public insurance can and has to be applicable and suitable addressers for administrating this article. In other words people have to request this issue as a fundamental demand from the insurance industry simultaneously observance of rules and regulation related towards it. Obviously, with providing the medical expenses and subtraction of a huge medical expense, consistently the increase of public welfare among the entire citizens inhabitant in the country and hope for the future will increase among individuals. Insurance health department presents free medical insurance to people and individuals, who don't have insurance, also absent insured receive service. This matter has caused not only the decrease of medical expenses, but also really contributed respect and preservation of citizenship rights and these services for the absent will increase people's esteem and dignity (Mohammadi *et al.*, 2015).

Help of establishment and development of social justice is one of the other fundamental outputs of public insurance related to citizenship rights. According to Bill of Rights citizenship rights, citizen's right of freedom, individual security, mental, carrier, culture, social, investment, stable life, discipline and all the other legal and common security facts are privileged. This right is not to be taken away and only through legal authority it is possible to be limited. Need of security and assurance of a guaranteed future are among the innate instincts of humans, which cause humans dynamism and elevation throughout the growth and development of life with the preservation of freedom and nobility and the possibility of rehabilitation of installment and justice in the society. A direct interrelation exists between justice and human needs. Necessity is a combination of social, cultural, economic and political elements. Justice will happen if the opportunities for elimination the needs of individuals in the society have been made available. Therefore public insurance is recognized as one of the indicators for measuring the amount of guarantee and welfare of societies in the light of economical and human development, which has a high importance (Araste *et al.*, 2013).

One of the other public insurance effective solutions in inquiring citizenship rights is educating insurance rights to the insured. It has to be set forth about the need of educating insurance rights to the insured, for this reason the central insurance has signed a memorandum of understanding with the minister of education, so the insurance issue is taught in school books. Central insurance has begun education from very young ages and also through the media educating the insurance issue will be continually pursued. It has to be reckoned that about regulations which has to be observed in supporting the insured, the central insurance has after years provided and edited a regulation for supporting the insured, which is a turning point in the supporting of the insured right. The regulation supporting insured has six chapters and with implementation of the regulation, there is an enormous hope that the rights of the insured in different stages, from the

very beginning till the last stage to be accomplished. In European and North American countries, educating insurance has commenced from elementary schools for more than two decades, in order for individuals to be informed about their insurance rights. In return the amount of insurance education in South American countries is at its lowest level (Levy and Schady, 2013).

5. Discussion & Conclusion

In this paper the role and position of public insurance in guaranteeing citizenship rights has been investigated. At the beginning of this study, the role of insurance industry in economic and social affairs of the country was made clear and examined and the amount of cooperation of this industry in the development of the country has been discussed. Following the topic, public insurance has been presented as one of Iran's successful programs in the past decades and various dimensions such as the coverage program; amount of services appointed to the insured and etc. has been explained. Then citizenship rights issues have been introduced and reasons and necessities of dealing with the citizenship rights throughout the whole country have been explained. After making clear the importance of the two concepts, citizenship rights and public insurance, evaluation of the role of public insurance in furtherance of citizenship rights from different aspects has been considered. According to existing evidence, it is recognized that one of the effective dimensions of public insurance on citizenship rights, is the coverage of an enormous amount of the country's population, in order to obtain an equally opportunity for a vast amount of the people, is to use the insurance facilities. Also it has been observed that public insurance tries creation of financial and spiritual welfare in the society and therefore there is no difference between individuals. Furthermore, in the social justice issue it is one of the manifestations appearing citizen's realizable glory explained and shown that public insurance is an effective solution for increasing the level of social justice. Altogether the conclusion obtained from this retrospective expressive study, is that if the appointed policies of the public insurance system are accurately and realistically accomplished, it is an effective solution for guaranteeing the citizenship rights.

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