

# HOUSE BILL 185

P4, C3

3lr1279

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By: **Delegates Cardin, Morhaim, Stein, Stukes, Walker, and M. Washington**

Introduced and read first time: January 21, 2013

Assigned to: Appropriations and Health and Government Operations

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## A BILL ENTITLED

1 AN ACT concerning

2 **State Employee and Retiree Health and Welfare Benefits Program – Health**  
3 **Improvement and Cost Savings Act of 2013**

4 FOR the purpose of requiring the Secretary of Budget and Management, in  
5 consultation with the Department of Health and Mental Hygiene, to establish a  
6 wellness pilot project in the State Employee and Retiree Health and Welfare  
7 Benefits Program; requiring the wellness pilot project to achieve certain savings  
8 through participation in certain programs by State employees and their  
9 dependents; establishing the dates on which the wellness pilot project begins  
10 and ends; requiring participation in the wellness pilot project to be voluntary for  
11 Program enrollees; requiring the Program to provide monetary incentives, not  
12 to exceed a certain amount, for participation in certain programs; requiring the  
13 Secretary, in consultation with the Department, to establish certain  
14 participation requirements and a process for providing a monetary incentive;  
15 requiring the Secretary, in consultation with the Department, to adopt  
16 regulations to establish certain evidence-based criteria; requiring the  
17 Secretary, on or before a certain date, to report to the General Assembly on the  
18 implementation of this Act; requiring certain expenses to be paid for in a certain  
19 manner; providing for the termination of this Act; defining certain terms; and  
20 generally relating to a wellness pilot project in the State Employee and Retiree  
21 Health and Welfare Benefits Program.

22 BY repealing and reenacting, without amendments,  
23 Article – State Personnel and Pensions  
24 Section 2–501(b)  
25 Annotated Code of Maryland  
26 (2009 Replacement Volume and 2012 Supplement)

27 BY adding to  
28 Article – State Personnel and Pensions  
29 Section 2–503.1

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland  
2 (2009 Replacement Volume and 2012 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article – State Personnel and Pensions**

6 2–501.

7 (b) “Program” means the State Employee and Retiree Health and Welfare  
8 Benefits Program.

9 **2–503.1.**

10 (A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE  
11 MEANINGS INDICATED.

12 (2) “QUALIFIED FITNESS PROGRAM” MEANS:

13 (I) AN EVIDENCE–BASED HEALTH AND FITNESS PROGRAM;  
14 OR

15 (II) A GYM, HEALTH CLUB, OR STUDIO THAT IS OPEN TO THE  
16 PUBLIC.

17 (3) “QUALIFIED PHYSICAL ACTIVITY PROGRAM” MEANS AN  
18 EVIDENCE–BASED PROGRAM TO ENCOURAGE CHILDREN TO ENGAGE IN  
19 MODERATE OR VIGOROUS PHYSICAL ACTIVITY FOR AT LEAST 45 MINUTES A DAY  
20 AT LEAST 3 DAYS A WEEK.

21 (4) “QUALIFIED TOBACCO CESSATION PROGRAM” MEANS AN  
22 EVIDENCE–BASED PROGRAM TO ASSIST PARTICIPANTS IN ENDING THE USE OF  
23 TOBACCO PRODUCTS.

24 (5) “QUALIFIED WEIGHT LOSS PROGRAM” MEANS AN  
25 EVIDENCE–BASED PROGRAM TO ASSIST PARTICIPANTS IN LOSING WEIGHT.

26 (B) (1) THE SECRETARY, IN CONSULTATION WITH THE DEPARTMENT  
27 OF HEALTH AND MENTAL HYGIENE, SHALL ESTABLISH A WELLNESS PILOT  
28 PROJECT IN THE PROGRAM.

29 (2) THE WELLNESS PILOT PROJECT SHALL:

1                   **(I) BE DESIGNED TO ACHIEVE SAVINGS IN HEALTH CARE**  
2 **COSTS THROUGH PARTICIPATION IN QUALIFIED FITNESS PROGRAMS,**  
3 **QUALIFIED TOBACCO CESSATION PROGRAMS, QUALIFIED WEIGHT LOSS**  
4 **PROGRAMS, AND QUALIFIED PHYSICAL ACTIVITY PROGRAMS BY STATE**  
5 **EMPLOYEES AND THEIR DEPENDENTS; AND**

6                   **(II) BEGIN ON JULY 1, 2014, AND END ON JUNE 30, 2015.**

7                   **(C) PARTICIPATION IN THE WELLNESS PILOT PROJECT SHALL BE**  
8 **VOLUNTARY FOR PROGRAM ENROLLEES, INCLUDING STATE EMPLOYEES AND**  
9 **ANY DEPENDENTS OF STATE EMPLOYEES ENROLLED IN THE PROGRAM.**

10                   **(D) SUBJECT TO SUBSECTION (E) OF THIS SECTION, UNDER THE**  
11 **WELLNESS PILOT PROJECT, THE PROGRAM SHALL PROVIDE A MONETARY**  
12 **INCENTIVE OF \$50 PER YEAR FOR THE PARTICIPATION OF A STATE EMPLOYEE**  
13 **AND A DEPENDENT OF A STATE EMPLOYEE IN:**

14                   **(1) A QUALIFIED FITNESS PROGRAM;**

15                   **(2) A QUALIFIED TOBACCO CESSATION PROGRAM;**

16                   **(3) A QUALIFIED WEIGHT LOSS PROGRAM; OR**

17                   **(4) A QUALIFIED PHYSICAL ACTIVITY PROGRAM.**

18                   **(E) THE TOTAL MONETARY INCENTIVES THAT MAY BE PROVIDED TO A**  
19 **STATE EMPLOYEE OR A STATE EMPLOYEE PLUS ONE OR MORE DEPENDENTS**  
20 **MAY NOT EXCEED \$150 PER YEAR.**

21                   **(F) THE SECRETARY, IN CONSULTATION WITH THE DEPARTMENT OF**  
22 **HEALTH AND MENTAL HYGIENE, SHALL ESTABLISH:**

23                   **(1) THE PARTICIPATION REQUIREMENTS THAT A STATE**  
24 **EMPLOYEE OR A DEPENDENT OF A STATE EMPLOYEE MUST MEET TO RECEIVE A**  
25 **MONETARY INCENTIVE UNDER THIS SECTION; AND**

26                   **(2) A PROCESS FOR PROVIDING A MONETARY INCENTIVE UNDER**  
27 **THIS SECTION.**

28                   SECTION 2. AND BE IT FURTHER ENACTED, That the Secretary of Budget  
29 and Management, in consultation with the Department of Health and Mental  
30 Hygiene, shall adopt regulations to establish evidence-based criteria that must be met  
31 in order for a program to be deemed qualified under the provisions of Section 1 of this  
32 Act.

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1           SECTION 3. AND BE IT FURTHER ENACTED, That, on or before December 1,  
2 2015, the Secretary of Budget and Management shall report to the General Assembly,  
3 in accordance with § 2-1246 of the State Government Article, on the implementation  
4 of this Act. Any expenses, such as data collection or data analysis expenses, related to  
5 the report shall be paid for with existing resources, to the extent practicable.

6           SECTION 4. AND BE IT FURTHER ENACTED, That this Act shall take effect  
7 July 1, 2013. It shall remain effective for a period of 3 years and, at the end of June 30,  
8 2016, with no further action required by the General Assembly, this Act shall be  
9 abrogated and of no further force and effect.