

HOUSE BILL 391

C3, P4
HB 638/12 – APP & HGO

3lr1019
CF SB 224

By: **Delegates Krebs, Cardin, Afzali, Aumann, Bromwell, Cluster, Costa, Cullison, Elliott, George, Howard, Hubbard, A. Kelly, Kipke, McComas, McDonough, W. Miller, Morhaim, Murphy, Oaks, Pena–Melnyk, Reznik, and Tarrant**

Introduced and read first time: January 25, 2013

Assigned to: Appropriations and Health and Government Operations

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 26, 2013

CHAPTER _____

1 AN ACT concerning

2 **State Employee and Retiree Health and Welfare Benefits Program – ~~Bona~~**
3 **~~Fide Wellness Program and Wellness Promotion~~**

4 FOR the purpose of requiring the Secretary of Budget and Management, ~~in~~
5 ~~consultation with the Secretary of Health and Mental Hygiene, to develop and~~
6 ~~implement a certain bona fide wellness program for inclusion to include a~~
7 certain wellness program in the State Employee and Retiree Health and
8 Welfare Benefits Program; establishing certain requirements for the ~~bona fide~~
9 wellness program; ~~authorizing the bona fide wellness program to include certain~~
10 ~~incentives for achieving health goals; requiring the Secretary of Budget and~~
11 ~~Management to consider certain actions to promote wellness among Program~~
12 ~~enrollees; requiring the Secretary of Budget and Management to report to the~~
13 Governor and ~~the General Assembly~~ certain legislative committees on or before
14 ~~a certain date~~ certain dates on the implementation of this Act; defining a
15 certain term; and generally relating to a ~~bona fide~~ wellness program in the
16 State Employee and Retiree Health and Welfare Benefits Program ~~and wellness~~
17 ~~promotion.~~

18 BY repealing and reenacting, without amendments,
19 Article – State Personnel and Pensions
20 Section 2–501(a) and (b)
21 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (2009 Replacement Volume and 2012 Supplement)

2 BY adding to

3 Article – State Personnel and Pensions

4 Section 2–501(d)

5 Annotated Code of Maryland

6 (2009 Replacement Volume and 2012 Supplement)

7 BY repealing and reenacting, with amendments,

8 Article – State Personnel and Pensions

9 Section 2–503(b)

10 Annotated Code of Maryland

11 (2009 Replacement Volume and 2012 Supplement)

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

14 **Article – State Personnel and Pensions**

15 2–501.

16 (a) In this subtitle the following terms have the meanings indicated.

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

19 **(D) “WELLNESS PROGRAM” MEANS A PROGRAM THAT IS DESIGNED TO:**

20 **(1) PROMOTE HEALTH OR PREVENT OR DETECT DISEASE OR**
21 **ILLNESS;**

22 **(2) IMPROVE CLINICAL OUTCOMES;**

23 **(3) PREVENT OR REDUCE ACUTE ADMISSIONS AND READMISSIONS**
24 **TO HEALTH CARE FACILITIES;**

25 **(4) IMPROVE TREATMENT COMPLIANCE FOR CHRONIC**
26 **CONDITIONS;**

27 **(5) PROMOTE HEALTHY BEHAVIORS; OR**

28 **(6) PREVENT OR CONTROL INJURY.**

29 2–503.

1 (b) (1) The Secretary may arrange as the Secretary considers appropriate
2 any benefit option for inclusion in the Program.

3 (2) The Secretary shall include in the Program an option to purchase
4 up to \$200,000 of additional life insurance coverage for employees who:

5 (i) fly in a helicopter in the course of their employment with the
6 State;

7 (ii) scuba dive in the course of their employment with the State;
8 or

9 (iii) as a result of their employment with the State, face a
10 significant likelihood of receiving a less favorable life insurance rating than an
11 individual employed in a nonhazardous position.

12 (3) (I) ~~THE SECRETARY, IN CONSULTATION WITH THE~~
13 ~~SECRETARY OF HEALTH AND MENTAL HYGIENE, SHALL DEVELOP AND~~
14 ~~IMPLEMENT A BONA FIDE WELLNESS PROGRAM, AS DEFINED IN § 15 509 OF~~
15 ~~THE INSURANCE ARTICLE, FOR INCLUSION IN THE PROGRAM SHALL INCLUDE A~~
16 ~~WELLNESS PROGRAM IN THE PROGRAM.~~

17 (II) ~~THE BONA FIDE WELLNESS PROGRAM SHALL:~~

18 1. ~~INCLUDE A HEALTH RISK ASSESSMENT FOR ALL~~
19 ~~ENROLLEES IN THE PROGRAM BE DEVELOPED IN CONSULTATION WITH THE~~
20 ~~SECRETARY OF HEALTH AND MENTAL HYGIENE;~~

21 2. ~~PROMOTE THE GOALS OF THE DEPARTMENT OF~~
22 ~~HEALTH AND MENTAL HYGIENE STATE HEALTH IMPROVEMENT PLAN;~~
23 ~~PROCESS; AND~~

24 3. ~~COMPLY WITH § 15 509 OF THE INSURANCE~~
25 ~~ARTICLE; AND~~

26 4. ~~AIM TO ACHIEVE SAVINGS IN THE PROGRAM OVER~~
27 ~~TIME THAT EXCEED THE COSTS OF THE BONA FIDE WELLNESS PROGRAM.~~

28 (III) ~~THE BONA FIDE WELLNESS PROGRAM MAY INCLUDE, AS~~
29 ~~INCENTIVES FOR ACHIEVING HEALTH GOALS:~~

30 1. ~~DISCOUNTED PREMIUMS;~~

31 2. ~~A WAIVER OF ALL OR PART OF A COST SHARING~~
32 ~~MECHANISM, SUCH AS DEDUCTIBLES, COPAYMENTS, OR COINSURANCE; AND~~

1 ~~3. ADDITIONAL BENEFITS.~~

2 ~~(IV) TO PROMOTE WELLNESS AMONG PROGRAM~~
3 ~~ENROLLEES, THE SECRETARY SHALL CONSIDER:~~

4 ~~1. MERGING SICK LEAVE AND ANNUAL LEAVE INTO A~~
5 ~~SINGLE LEAVE BENEFIT FOR STATE EMPLOYEES; AND~~

6 ~~2. INCLUDING A HIGH DEDUCTIBLE HEALTH PLAN~~
7 ~~WITH A HEALTH SAVINGS ACCOUNT AS A HEALTH BENEFIT PLAN OPTION IN THE~~
8 ~~PROGRAM.~~

9 SECTION 2. AND BE IT FURTHER ENACTED, That, ~~on or before January 1,~~
10 ~~2014,~~ the Secretary of Budget and Management shall report to the Governor and, in
11 accordance with § 2-1246 of the State Government Article, the ~~General Assembly~~
12 Senate Finance Committee, the House Appropriations Committee, and the House
13 Health and Government Operations Committee on the implementation of Section 1 of
14 this Act;

15 (1) within 60 calendar days after the date that the Department
16 releases the request for proposals for administration of health care benefits under the
17 State Employee and Retiree Health and Welfare Benefits Program; and

18 (2) on or before February 1, 2016.

19 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
20 October 1, 2013.

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.