

# HOUSE BILL 391

C3, P4  
HB 638/12 – APP & HGO

3lr1019  
CF SB 224

By: **Delegates Krebs, 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

## A BILL ENTITLED

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 in the State  
7 Employee and Retiree Health and Welfare Benefits Program; establishing  
8 certain requirements for the bona fide wellness program; authorizing the bona  
9 fide wellness program to include certain incentives for achieving health goals;  
10 requiring the Secretary of Budget and Management to consider certain actions  
11 to promote wellness among Program enrollees; requiring the Secretary of  
12 Budget and Management to report to the Governor and the General Assembly  
13 on or before a certain date on the implementation of this Act; and generally  
14 relating to a bona fide wellness program in the State Employee and Retiree  
15 Health and Welfare Benefits Program and wellness promotion.

16 BY repealing and reenacting, without amendments,  
17 Article – State Personnel and Pensions  
18 Section 2–501(a) and (b)  
19 Annotated Code of Maryland  
20 (2009 Replacement Volume and 2012 Supplement)

21 BY repealing and reenacting, with amendments,  
22 Article – State Personnel and Pensions  
23 Section 2–503(b)  
24 Annotated Code of Maryland  
25 (2009 Replacement Volume and 2012 Supplement)

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

3 **Article – State Personnel and Pensions**

4 2–501.

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

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

8 2–503.

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

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

13 (i) fly in a helicopter in the course of their employment with the  
14 State;

15 (ii) scuba dive in the course of their employment with the State;  
16 or

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

20 **(3) (I) THE SECRETARY, IN CONSULTATION WITH THE**  
21 **SECRETARY OF HEALTH AND MENTAL HYGIENE, SHALL DEVELOP AND**  
22 **IMPLEMENT A BONA FIDE WELLNESS PROGRAM, AS DEFINED IN § 15–509 OF**  
23 **THE INSURANCE ARTICLE, FOR INCLUSION IN THE PROGRAM.**

24 **(II) THE BONA FIDE WELLNESS PROGRAM SHALL:**

25 **1. INCLUDE A HEALTH RISK ASSESSMENT FOR ALL**  
26 **ENROLLEES IN THE PROGRAM;**

27 **2. PROMOTE THE GOALS OF THE DEPARTMENT OF**  
28 **HEALTH AND MENTAL HYGIENE STATE HEALTH IMPROVEMENT PLAN;**

29 **3. COMPLY WITH § 15–509 OF THE INSURANCE**  
30 **ARTICLE; AND**

1                                   **4.     AIM TO ACHIEVE SAVINGS IN THE PROGRAM OVER**  
2 **TIME THAT EXCEED THE COSTS OF THE BONA FIDE WELLNESS PROGRAM.**

3                                   **(III)   THE BONA FIDE WELLNESS PROGRAM MAY INCLUDE, AS**  
4 **INCENTIVES FOR ACHIEVING HEALTH GOALS:**

5                                   **1.     DISCOUNTED PREMIUMS;**

6                                   **2.     A WAIVER OF ALL OR PART OF A COST-SHARING**  
7 **MECHANISM, SUCH AS DEDUCTIBLES, COPAYMENTS, OR COINSURANCE; AND**

8                                   **3.     ADDITIONAL BENEFITS.**

9                                   **(IV)   TO     PROMOTE     WELLNESS     AMONG     PROGRAM**  
10 **ENROLLEES, THE SECRETARY SHALL CONSIDER:**

11                                   **1.     MERCING SICK LEAVE AND ANNUAL LEAVE INTO A**  
12 **SINGLE LEAVE BENEFIT FOR STATE EMPLOYEES; AND**

13                                   **2.     INCLUDING A HIGH DEDUCTIBLE HEALTH PLAN**  
14 **WITH A HEALTH SAVINGS ACCOUNT AS A HEALTH BENEFIT PLAN OPTION IN THE**  
15 **PROGRAM.**

16                   SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,  
17 2014, the Secretary of Budget and Management shall report to the Governor and, in  
18 accordance with § 2-1246 of the State Government Article, the General Assembly on  
19 the implementation of Section 1 of this Act.

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