

HOUSE BILL 638

P4, C3

2lr1102

By: **Delegates Krebs, Bromwell, Costa, Cullison, Donoghue, Elliott, Frank, Hubbard, Kach, A. Kelly, Kipke, McDonough, Morhaim, Murphy, Nathan-Pulliam, Oaks, Pena-Melnyk, Ready, Reznik, Tarrant, and V. Turner**

Introduced and read first time: February 8, 2012

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 2011 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 2011 Supplement)

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:**

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

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

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

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

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

6 1. DISCOUNTED PREMIUMS;

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

9 3. ADDITIONAL BENEFITS.

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

12 1. MERGING SICK LEAVE AND ANNUAL LEAVE INTO A
13 SINGLE LEAVE BENEFIT FOR STATE EMPLOYEES; AND

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

17 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1,
18 2013, the Secretary of Budget and Management shall report to the Governor and, in
19 accordance with § 2-1246 of the State Government Article, the General Assembly on
20 the implementation of Section 1 of this Act.

21 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect
22 October 1, 2012.