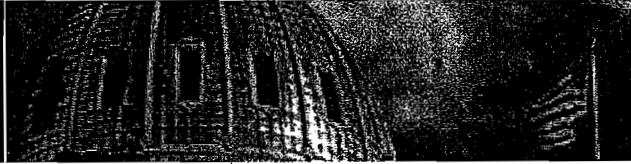


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## Wellness Overview

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Throughout the United States, in schools, workplaces and communities, policymakers, employers and government officials are looking at policies, programs and incentives to help make Americans healthier. As health care costs continue to rise, more states are encouraging citizens to become and stay well in order to prevent and mitigate chronic disease. This page provides an overview of NCSL resources on wellness.

### NCSL Resources:

- **On The Road to Wellness**- Overview of states encouraging wellness programs and initiatives (*State Legislatures Magazine*, Feb 2007)
- Summary of the **Final Rule for Nondiscrimination and Wellness Programs in Health Coverage in the Group Market**- The Department of Health and Human Services generate final rules to provide guidance for the implementation of wellness programs
- **Healthy Eating, Physical Activity and Food Systems to Support Healthy Communities** - Overview of NCSL Resources to Address Obesity
- **School Wellness Policies** (*Legisbrief*, Nov/Dec 2006)
- **State Wellness Initiatives** (*Legisbrief*, June/July 2007)
- **2007 Comprehensive Health Care Reforms**- Chart identifying the states pursuing wellness initiatives, and other health reforms
- **Wellness in Schools**- Schools adopt wellness programs to combat childhood obesity (*State Legislatures Magazine*, Dec 2005)
- "Wellness, Healthy Eating and Active Living" [[PowerPoint download](#) / slides] (Amy Winterfeld presentation to Michigan Legislature, May 2007)

### State Employee and Citizen Wellness Programs\*

- Health promotion initiatives for state employees: [Arizona](#), [Delaware](#), [Kansas](#), [Kentucky](#), [North Carolina](#), [Oklahoma](#), [Rhode Island](#), [South Dakota](#), [Tennessee](#), and [Texas](#).
- [State Employee Health Benefits](#)- NCSL Webpage
  - [Wellness programs for State Employees becoming more widespread](#)
  - [List of state employee health plan agencies with links](#)

### Featured Links

#### NCSL Links

[NCSL Public Health](#)  
[NCSL Health Homepage](#)

- "On the Road to Wellness"
- State Employee Health Benefits
- Wellness Legislation
  - [School Wellness](#)
  - [Insurance and Fiscal Incentives](#)
  - [Other Wellness Legislation](#)

- Wellness in the News

[Federal Bill Would Provide Tax Credits to Employers that Offer Comprehensive Wellness Plans](#) (Robert Wood Johnson Foundation, July 2007)

[South Carolina Researchers Working to Improve Health Habits Among Underserved Populations](#) (Robert Wood Johnson Foundation, July 2007)

[Companies get breaks for employees' health: Incentive paid for by hike in cigarette tax](#) (The Journal Gazette, Indiana, June 2007)

Summary of: [Employers Tap Incentives to Encourage Wellness Program Participation, Survey Suggests](#) (Robert Wood Johnson Foundation, June 2007)

Submit a question to NCSL  
 (Legislators & staff only)

- Statewide wellness programs for all citizens -- Arkansas, Indiana, Hawaii, North Dakota, Ohio and Vermont

\*This list is an overview of State Employee and Citizens Wellness Programs, and may not be comprehensive.

### Other Non-NCSL Resources

- **Creating Healthy States: Building Healthy Worksites**- Wellness in the workplace. National Governors Association, Center for Best Practices (Issue Brief, 2006)
- **Creating Healthy States: Building Healthy Schools**- Wellness in the schools. National Governors Association, Center for Best Practices (Issue Brief, 2006)
- **Healthy America - Call to Action: An Agenda for America's Governors**- National Governors Association, Healthy America Initiative (Issue Brief, 2006)

### State Legislation

#### School Wellness - State Legislation

- School Wellness Policies- 2006
- School Wellness Policies- 2005

#### Insurance and Fiscal Incentives - Sample of 2006 and 2007 State Legislation

- Insurance Premium Discounts or Rebates for Insureds' Participation in Wellness Programs
- Insurance Premium Rating Factors to Discount Group Premium Rates
- Tax Credits
- Other Wellness Legislation

± Represents a state that will carryover bills from 2007 to the 2008 legislative session.

#### Insurance Premium Discounts/ Rebates

State	Description
IN	<u>Ind. Public Law 136 (2006) (HB 1420)</u> - Allows an employer to implement financial incentives related to employer provided health benefits in order to reduce employee tobacco use. Effective July 1, 2006. <b>Enacted</b>
MD	<u>Md. Chapter No. 591 (2007) (HB 157)</u> - Provides that it is not discrimination or a rebate under specified insurance laws for an insurer, nonprofit health service plan, health maintenance organization, or dental plan organization to provide reasonable incentives to an individual who is an insured, subscriber, or member for participation in a bona fide wellness program offered by the insurer, nonprofit health service plan, health maintenance organization, or dental plan organization under specified circumstances. <b>Enacted</b>
ME±	<u>LD 1890 (2007, proposed)</u> - Part A would require all insurance carriers to offer a discount on premiums for nonsmokers and would require insurance carriers in the small and large group markets to offer a discount on premiums for participants in workplace wellness programs. This Part also

	would direct Dirigo Health's Maine Quality Forum to develop certification standards for eligible workplace wellness programs. Part B would clarify that all rate filings, as well as information and documentation
MI	<u>Mich. Public Act No. 413 (2006) (SB 849)</u> - Requires health care corporations to offer non-group wellness coverage with a premium rebate if an individual or family enroll and maintain participation in wellness programs. <b>Enacted</b>
NY±	<u>A 2357 (2007, proposed)</u> - Would authorize health insurers, subject to the approval of the superintendent of insurance, to provide actuarially appropriate reductions in health insurance premiums for an enrollee's or insured's participation in a wellness program (defined); would provide for the appointment of an advisory committee on wellness to be co-chaired by the commissioner of health and the superintendent of insurance and to report on the development and effectiveness of wellness programs. (Same as <u>SB 204</u> )
OR	<u>SB 587 (2007, proposed)</u> - Would have allowed small employer carriers to provide discounts for employees who do not smoke tobacco. Would have expanded rate band for small employer carriers to 50 percent deviation from geographic average rate. Would have permitted small employer carriers to provide discounts to businesses in which all employees participated in plan, and stayed with carrier and that provided dependent coverage.
TX	<u>HB 2252 (2007, enacted)</u> - Allows an insurer issuing an accident and health insurance policy to establish premium discounts, rebates, or a reduction in otherwise applicable copayments, coinsurance, or deductibles, or any combination of these incentives, for an insured who participates in programs promoting disease prevention, wellness, and health; provides that such discount will not violate existing law. <b>Enacted</b>

## Insurance Premium Rating Factors to Discount Group Premium Rates

State	Description
MD	<u>Md. Chapter No. 600 (2007) (HB 339)</u> - Alters a specified limit on the rate a carrier may charge based on adjustments to the community rate for specified health benefit plans offered in the small group market; authorizes a carrier to offer a discount to a small employer for participation in a wellness program. <b>Enacted</b>
IA±	<u>HF 790 (2007, enacted)</u> - Allows certain association group health care plans and wellness initiatives. Provides that a small employer insurance carrier may offer to transfer a small employer into a different class of business with a lower index rate based upon claims experience, implementation of managed care or wellness programs, or health status improvement of the small employer since issue. In order to encourage voluntary participation in wellness or disease management programs, allows a small employer carrier to offer premium credits or discounts to a small employer for the benefit of eligible employees of that small employer who participate in such a program. Stipulates that an employee shall not be penalized in any way for not participating in such a program. <b>Enacted</b>
MI±	<u>Mich. Chapter No. 412 (2006) (SB 848)</u> - Requires insurers providing group expense-incurred hospital, medical or surgical certificates and HMOs offering group wellness coverage to rebate premiums if a majority of employees enroll and maintain participation in wellness programs. <b>Enacted</b>
OR	<u>Oregon Chapter No. 389 (2007) (HB 2002)</u> - Authorizes the Director of the Department of Consumer and Business Services to consider profitability and

	investment income in approving premium rates of insurer. Changes definition of 'small employer' by increasing maximum number of employees from 25 to 50. Limits increases in premium rates due to this change to 10 percent per year. <b>Enacted</b>
RI±	<u>S 819</u> (2007, proposed) - This act would allow a small employer health insurance carrier to vary adjusted community rates based upon tobacco usage and whether or not an employer purchased insurance through an insurance producer licensed under the laws of this state to sell, solicit and negotiate insurance. The act would take effect upon passage and would apply to plans issued or renewed on or after January 1, 2008
WA±	<u>SB 1539</u> (2007, proposed) - Provides access to health insurance for small employers and their employees. The bill would have allowed a rating factor based on wellness program participation.

## Tax Credits

State	Description
CA±	<u>AB 1439</u> (2007, proposed) - Would create a tax credit for qualified taxpayers for costs of providing employees certain physical fitness benefits.
FL	<u>SB 194</u> (May 2007, Died in Committee on Finance and Tax) - Would have provided credit against tax on corporate income for certain taxpayer expenditures for providing employee fitness facilities or supporting fitness-related activities by employees; would have provided credit against tax on insurers for employee fitness costs, as defined in this act, incurred by an insurer; and would have provided for order of credits against tax on insurers.
IA	<u>HF2477</u> and <u>HF2529</u> (2006, proposed) - Would have authorized small employer association health benefit plans, a small employer health care tax credit, wellness incentives, and a small employer catastrophic risk reinsurance program.
IN	<u>Ind. Public Law 218 (2007) (HB 1678)</u> - Among other provisions, this Small Employer Wellness Tax Credit Program allows employers with two to 100 employees to receive a tax credit for 50 percent of the costs incurred in a given year for providing qualified wellness programs to their employees. Increases the cigarette tax by 44 cents per pack to fund various health related expenses. Allows an employer to take a tax credit for making a health benefit plan available to the employer's employees for the first two taxable years that the employer makes the health benefit plan available. Increases the income limit for Medicaid eligibility for pregnant women. <b>Enacted</b>
MS	<u>HB441</u> (2006, Died) - Would have provided an income tax credit for employers that incurred costs to promote employee physical fitness. The bill died in committee 2/22/06. The items that it proposed to cover with the tax credit included, but were not limited to, "the net costs of constructing, equipping, operating and/or maintaining a facility owned by the employer such as a gymnasium, weight training room, aerobics workout space, swimming pool, running track, or any indoor or outdoor court, field or other site used for competitive sports events or games, and which is used exclusively for the purpose of promoting the physical fitness and well-being of the employer's employees. Additional eligible costs would have included the costs of employing a qualified person to conduct a class or classes on the taxpayer's business premises offering (a) information and guidance on

	<p>subjects relating to personal and family health such as nutrition, hygiene and methods of preventing, recognizing and combating substance addiction or (b) instruction in and opportunity for fitness enhancement activity such as dance or other aerobic exercise, yoga, muscle stretching, or martial arts routines." The amount of the income tax credit proposed was to "not exceed the lesser of ten percent (10%) of the costs incurred by the employer during the taxable year for purposes described or fifty percent (50%) of the income tax imposed upon the taxpayer for the taxable year reduced by the sum of all other credits allowable to the taxpayer under the state income tax laws, except credit for tax payments made by or on behalf of the taxpayer. Unused portions of the credit could have been carried forward 5 tax years. <b>Failed</b></p>
NJ	<p><u>A 990</u> (2007, proposed) - This bill would have allowed a corporation business tax credit and gross income tax credit for employer expenditures to provide physical fitness benefits to employees. It was introduced and sent to the Assembly Committee on Commerce and Economic Development. (same as S527)</p>
NY±	<p><u>AB 4280</u> (2007, proposed) - Would have provided a tax credit to businesses for qualified expenses relating to occupational wellness that would have equaled up to one thousand dollars, for the amount paid by the taxpayer during the taxable year for qualified expenses relating to occupational wellness.</p> <p><u>S02595</u> (2007, proposed) - Would have provided a tax credit to businesses for qualified expenses relating to occupational wellness; equal to up to two hundred dollars per employee but not to exceed ten thousand dollars per employer, for the amount paid by the taxpayer during the taxable year for qualified expenses relating to occupational wellness.</p>
OK	<p><u>HB 2142</u> (2006, proposed) - Would have provided an individual income tax deduction for health and spa membership fees. The deduction would have been capped at \$500 for an individual, \$720 for a couple, and \$900 for a family with children. <b>Failed</b></p>
RI±	<p><u>S 600</u> - (2007, proposed) - This bill proposed a "Worksite Wellness Act" that would provide a tax credit to businesses that employ a quarterly average of less than 100 employees during the tax year for which a worksite wellness program is provided at the worksite. This act would take effect on January 1, 2008.</p>
WI	<p><u>AB235</u> (2007, proposed) - Would have created a nonrefundable income and franchise tax credit for workplace wellness programs. <b>Failed</b></p> <p><u>AB 954</u> (2006, proposed) This bill would have created an income and franchise tax credit for workplace wellness programs, equal to the amount that an employer paid in the taxable year to provide a workplace wellness program to any of the employer's employees. A workplace wellness program would have been defined as a health or fitness program, as defined by administrative rule by the Department of Revenue, that includes smoking cessation programs, weight management, stress management, health risk assessments. <b>Failed</b></p> <p><u>AB 861</u> (2006, proposed) - Would create an individual income tax deduction for health and fitness center memberships. <b>Failed</b></p>

## Other Wellness Legislation

State	Description	Legislation Topic
FL	<u>Fla. Chapter No. 2007-40 (SB 2260)</u> - Deletes designation of Health Secretary and includes designation of State Surgeon General as head of the state's Department of Health; provides duties for the State Surgeon General including promoting wellness. <b>Enacted</b>	Establishes State Surgeon General position promoting wellness
ID	Idaho Chapter No. 200 (2007) (H 168) - Amends existing law relating to public assistance to define a term; to revise benefits for all medicaid participants; to remove provisions on personal health account funding, use and disposition; and to provide for use of preventive health assistance benefits. <b>Enacted</b>	Provides wellness benefit
IN	<u>HB 1674</u> (2007, proposed) - Requires a public employer to provide a wellness program for the public employer's employees. Provides a tax credit for a taxpayer that provides a wellness program to employees.	Public employee wellness program/ Tax credit private employer wellness
ME±	<u>LD 1667</u> (2007, proposed) - This bill is designed to improve health, reduce health care usage and costs and help prevent disease through nutritional wellness and prevention measures and allow for nonpharmacological alternatives to enrollees who choose them. The bill would require that health insurance policies provide coverage for nutritional wellness and prevention that is shown to be beneficial to the enrollee.	Insurance wellness benefit
NJ±	<u>A 151</u> (2006, proposed) - Would revise health wellness insurance benefits. (Same as S1055)  <u>A 1615</u> (2006, proposed) - Would require health insurers to cover costs of tobacco use cessation services.	Insurance wellness benefits
NM	<u>SB 1173</u> (2007, proposed) - An act relating to health care reform; would require that proceeds from the tobacco settlement program fund be used solely for tobacco research and cessation programs; would provide for an income tax deduction for the purchase of long-term care insurance; would require high school physical education requirements to emphasize nutrition and exercise; would require the electronic submission of health care claims and associated data; would provide for insurance rating factors for qualified wellness programs.	Health care reform and wellness programs
NY±	<u>SB 4675</u> (2007, proposed) - Would require every health insurance policy that provides hospital, surgical or medical coverage to provide coverage for expenses incurred in a health promotion program through health	Insurance wellness benefit

	<p>wellness examinations and counseling; would specify that such examinations and counseling shall include hemoglobin tests, blood pressure checks, glucose tests, blood cholesterol readings, glaucoma tests, stool exams, colon exams, immunizations, and annual wellness consultations.</p> <p><u>AB 4316</u> (2007, proposed) - Would establish a task force on occupational wellness within the department of health, consisting of nine members.</p> <p><u>SB 40</u> (2007, proposed) - Would enact the "public employee wellness act"; requiring the appointment of a public employee wellness coordinator in certain state departments and agencies; and requiring reports to be prepared by such wellness coordinators.</p> <p>Would establish an advisory committee on public wellness. (same as <u>AB 5917</u>)</p>	<p>Task force</p> <p>Public employee wellness act</p>
NC±	<u>H 1050</u> (2007, proposed) - Would appropriate funds for a state employee wellness pilot program. (same as <u>S 1066</u> )	State employee wellness program
RI±	<u>H 6038</u> (2007, proposed) - Would establish a basic wellness health benefit plan to create affordable health insurance.	Insurance wellness benefit
TX	<u>HB 1297</u> - Creates a model state employee wellness program and a multidisciplinary Worksite Wellness Advisory Board. Among other provisions, allows employees 30 minutes a day for exercise; provides for identification of food service vendors that successfully market healthy foods, encourages worksite architectural design featuring wellness features, and encourages and provides time for completion of health risk assessments. <b>Enacted</b> (related bill <u>SB 72</u> (2007, proposed) - relates to the establishment of the Worksite Wellness Advisory Board and the implementation of worksite wellness policies at state agencies)	State employee wellness program
WA±	<u>SB 5665</u> (2007, proposed) - Would establish the state employee health program and a state employee health demonstration project. Would appropriate the sum of one million three hundred thousand dollars, or as much thereof as may be necessary, for the biennium ending June 30, 2009, from the general fund to the health care authority for the purposes of this act.	State employee wellness program

*NOTE: NCSL provides links to other Web sites from time to time for information purposes only. Providing these links does not necessarily indicate NCSL's support or endorsement of the site.*

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