

By: Morrison

H.B. No. 3793

A BILL TO BE ENTITLED

AN ACT

relating to establishing a health and wellness initiative program to reduce health plan costs for certain public employees.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter E, Chapter 1551, Insurance Code, is amended by adding Section 1551.226 to read as follows:

Sec. 1551.226. ESTABLISHMENT OF HEALTH AND WELLNESS INITIATIVE PROGRAM. (a) In this section:

(1) "Critical illness" means an illness designated by the board of trustees as a critical illness, including:

(A) a major cancer, Alzheimer's disease, multiple sclerosis, HIV/AIDS contracted during a blood transfusion or operation, or Parkinson's disease;

(B) an organ failure or organ transplant;

(C) the loss of independent existence; and

(D) any terminal illness.

(2) "Initiative program" means the health and wellness initiative program established under this section.

(b) The board of trustees by rule shall design and establish a health and wellness initiative program. The initiative program must:

(1) include:

(A) an early detection incentive for individuals covered by the group benefits program who participate in the

1 initiative program;

2 (B) a no-smoking campaign; and

3 (C) a plan designed to match an individual to a
4 clinical trial;

5 (2) encourage an individual who participates in the
6 initiative program to:

7 (A) obtain a second opinion from a physician or
8 other health care provider about:

9 (i) a diagnosis of cancer or other critical
10 illness; or

11 (ii) treatment options; or

12 (B) visit a certified National Cancer Institute;

13 (3) from available funds, provide a \$100 wellness
14 benefit to an employee for undergoing eligible screening tests as
15 designated by the board of trustees; and

16 (4) be available to individuals covered by the group
17 benefits program regardless of the individual's health history.

18 (c) The board of trustees shall establish an Internet
19 website for the initiative program. The board of trustees may
20 develop a list of eligible resources and support services, which
21 may be posted on the website, for individuals diagnosed with cancer
22 or other critical illness.

23 (d) The eligible resources and support services designated
24 under Subsection (c) may provide to individuals diagnosed with
25 cancer or another critical illness and those individuals' friends
26 and families:

27 (1) information about health-related topics,

1 including:

2 (A) obtaining a positive prognosis after a
3 diagnosis;

4 (B) living a healthy lifestyle; and

5 (C) reducing the risk of illness;

6 (2) one-on-one support;

7 (3) counseling and referrals to other resources; and

8 (4) information regarding financial and insurance
9 concerns.

10 (e) The board of trustees shall periodically update the list
11 established under Subsection (c).

12 SECTION 2. Subchapter D, Chapter 1575, Insurance Code, is
13 amended by adding Section 1575.172 to read as follows:

14 Sec. 1575.172. ESTABLISHMENT OF HEALTH AND WELLNESS
15 INITIATIVE PROGRAM. (a) In this section:

16 (1) "Critical illness" means an illness designated by
17 the board of trustees as a critical illness, including:

18 (A) a major cancer, Alzheimer's disease,
19 multiple sclerosis, HIV/AIDS contracted during a blood transfusion
20 or operation, or Parkinson's disease;

21 (B) an organ failure or organ transplant;

22 (C) the loss of independent existence; and

23 (D) any terminal illness.

24 (2) "Initiative program" means the health and wellness
25 initiative program established under this section.

26 (b) The trustee by rule shall design and establish a health
27 and wellness initiative program. The initiative program must:

1 (1) include:

2 (A) an early detection incentive for individuals
3 covered by the group program who participate in the initiative
4 program;

5 (B) a no-smoking campaign; and

6 (C) a plan designed to match an individual to a
7 clinical trial;

8 (2) encourage an individual who participates in the
9 initiative program to:

10 (A) obtain a second opinion from a physician or
11 other health care provider about:

12 (i) a diagnosis of cancer or other critical
13 illness; or

14 (ii) treatment options; or

15 (B) visit a certified National Cancer Institute;

16 (3) from available funds, provide a \$100 wellness
17 benefit to a retiree for undergoing eligible screening tests as
18 designated by the trustee; and

19 (4) be available to individuals covered by the group
20 program regardless of the individual's health history.

21 (c) The trustee shall establish an Internet website for the
22 initiative program. The trustee may develop a list of eligible
23 resources and support services, which may be posted on the website,
24 for individuals diagnosed with cancer or other critical illness.

25 (d) The eligible resources and support services designated
26 under Subsection (c) may provide to individuals diagnosed with
27 cancer or another critical illness and those individuals' friends

1 and families:

2 (1) information about health-related topics,

3 including:

4 (A) obtaining a positive prognosis after a
5 diagnosis;

6 (B) living a healthy lifestyle; and

7 (C) reducing the risk of illness;

8 (2) one-on-one support;

9 (3) counseling and referrals to other resources; and

10 (4) information regarding financial and insurance
11 concerns.

12 (e) The trustee shall periodically update the list
13 established under Subsection (c).

14 SECTION 3. Subchapter C, Chapter 1579, Insurance Code, is
15 amended by adding Section 1579.110 to read as follows:

16 Sec. 1579.110. ESTABLISHMENT OF HEALTH AND WELLNESS
17 INITIATIVE PROGRAM. (a) In this section:

18 (1) "Critical illness" means an illness designated by
19 the board of trustees as a critical illness, including:

20 (A) a major cancer, Alzheimer's disease,
21 multiple sclerosis, HIV/AIDS contracted during a blood transfusion
22 or operation, or Parkinson's disease;

23 (B) an organ failure or organ transplant;

24 (C) the loss of independent existence; and

25 (D) any terminal illness.

26 (2) "Initiative program" means the health and wellness
27 initiative program established under this section.

1 (b) The trustee by rule shall design and establish a health
2 and wellness initiative program. The initiative program must:

3 (1) include:

4 (A) an early detection incentive for individuals
5 covered by the uniform group coverage program who participate in
6 the initiative program;

7 (B) a no-smoking campaign; and

8 (C) a plan designed to match an individual to a
9 clinical trial;

10 (2) encourage an individual who participates in the
11 initiative program to:

12 (A) obtain a second opinion from a physician or
13 other health care provider about:

14 (i) a diagnosis of cancer or other critical
15 illness; or

16 (ii) treatment options; or

17 (B) visit a certified National Cancer Institute;

18 (3) from available funds, provide a \$100 wellness
19 benefit to an employee for undergoing eligible screening tests as
20 designated by the trustee; and

21 (4) be available to individuals covered by the uniform
22 group coverage program regardless of the individual's health
23 history.

24 (c) The trustee shall establish an Internet website for the
25 initiative program. The trustee may develop a list of eligible
26 resources and support services, which may be posted on the website,
27 for individuals diagnosed with cancer or other critical illness.

1 (d) The eligible resources and support services designated
2 under Subsection (c) may provide to individuals diagnosed with
3 cancer or another critical illness and those individuals' friends
4 and families:

5 (1) information about health-related topics,
6 including:

7 (A) obtaining a positive prognosis after a
8 diagnosis;

9 (B) living a healthy lifestyle; and

10 (C) reducing the risk of illness;

11 (2) one-on-one support;

12 (3) counseling and referrals to other resources; and

13 (4) information regarding financial and insurance
14 concerns.

15 (e) The trustee shall periodically update the list
16 established under Subsection (c).

17 SECTION 4. Subchapter C, Chapter 1601, Insurance Code, is
18 amended by adding Section 1601.112 to read as follows:

19 Sec. 1601.112. ESTABLISHMENT OF HEALTH AND WELLNESS
20 INITIATIVE PROGRAM. (a) In this section:

21 (1) "Critical illness" means an illness designated by
22 the board of trustees as a critical illness, including:

23 (A) a major cancer, Alzheimer's disease,
24 multiple sclerosis, HIV/AIDS contracted during a blood transfusion
25 or operation, or Parkinson's disease;

26 (B) an organ failure or organ transplant;

27 (C) the loss of independent existence; and

1 (D) any terminal illness.

2 (2) "Initiative program" means the health and wellness
3 initiative program established under this section.

4 (b) Each system by rule shall design and establish a health
5 and wellness initiative program. The initiative program must:

6 (1) include:

7 (A) an early detection incentive for individuals
8 covered by a uniform program who participate in the initiative
9 program;

10 (B) a no-smoking campaign; and

11 (C) a plan designed to match an individual to a
12 clinical trial;

13 (2) encourage an individual who participates in the
14 initiative program to:

15 (A) obtain a second opinion from a physician or
16 other health care provider about:

17 (i) a diagnosis of cancer or other critical
18 illness; or

19 (ii) treatment options; or

20 (B) visit a certified National Cancer Institute;
21 (3) from available funds, provide a \$100 wellness
22 benefit to an employee for undergoing eligible screening tests as
23 designated by the system; and

24 (4) be available to individuals covered by a uniform
25 program regardless of the individual's health history.

26 (c) Each system shall establish an Internet website for the
27 initiative program. The system may develop a list of eligible

1 resources and support services, which may be posted on the website,
2 for individuals diagnosed with cancer or other critical illness.

3 (d) The eligible resources and support services designated
4 under Subsection (c) may provide to individuals diagnosed with
5 cancer or another critical illness and those individuals' friends
6 and families:

7 (1) information about health-related topics,
8 including:

9 (A) obtaining a positive prognosis after a
10 diagnosis;

11 (B) living a healthy lifestyle; and

12 (C) reducing the risk of illness;

13 (2) one-on-one support;

14 (3) counseling and referrals to other resources; and

15 (4) information regarding financial and insurance
16 concerns.

17 (e) Each system shall periodically update the list
18 established under Subsection (c).

19 SECTION 5. The changes in law made by this Act apply only to
20 health benefit plans provided under Chapters 1551, 1575, 1579, and
21 1601, Insurance Code, beginning with the 2009-2010 plan year. A
22 plan year before 2009-2010 is governed by the law as it existed
23 immediately before September 1, 2009, and that law is continued in
24 effect for that purpose.

25 SECTION 6. This Act takes effect September 1, 2009.