

By: Lucio, Ellis

S.B. No. 871

A BILL TO BE ENTITLED

AN ACT

relating to the state employee wellness program, including health risk assessments of state employees.

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

SECTION 1. Subsection (b), Section 664.053, Government Code, is amended to read as follows:

(b) The statewide wellness coordinator shall:

(1) coordinate with other agencies that administer a health benefits program under Chapter 1551, Insurance Code, as necessary to develop the model wellness program, prevent duplication of efforts, provide information and resources to employees, and encourage the use of wellness benefits included in the health benefits program;

(2) maintain a set of Internet links to health resources for use by state employees;

(3) design an outreach campaign to educate state employees about health and fitness-related resources, including available exercise facilities, online tools, and health and fitness-related organizations;

(4) study the implementation and participation rates of state agency worksite wellness programs and report the findings to the legislature biennially; ~~and~~

(5) organize an annual conference hosted by the department for all state agency wellness councils; and

1 (6) create an online questionnaire for state agency
2 heads to report information, including:

3 (A) the agency policy on leave time for employees
4 to complete a health risk assessment;

5 (B) the agency policy on leave time for employees
6 to receive an annual physical examination;

7 (C) the agency policy on providing employees time
8 during the workday to exercise; and

9 (D) whether the agency has a wellness coordinator
10 or council.

11 SECTION 2. Section 664.061, Government Code, is amended to
12 read as follows:

13 Sec. 664.061. AGENCY WELLNESS POLICIES. (a) Each state
14 agency with more than 50 employees shall create and annually update
15 a worksite wellness policy.

16 (b) The executive head of a state agency shall submit the
17 agency's worksite wellness information to the statewide wellness
18 coordinator annually through the online questionnaire under
19 Section 664.053(b)(6).

20 (c) A state agency may:

21 (1) allow each employee 30 minutes during normal
22 working hours for exercise three times each week;

23 (2) allow all employees to attend on-site wellness
24 seminars when offered; and

25 (3) provide four [~~eight~~] hours of additional leave
26 time each year to an employee who[+]

27 [~~(A)~~] receives a physical examination.

1 (d) Except as provided by Subsection (e), a state agency
2 shall provide four hours of leave time each year to an employee
3 who ~~and~~

4 [~~B~~] completes either an online health risk
5 assessment tool provided by the board or a similar health risk
6 assessment conducted in person by a worksite wellness coordinator.

7 (e) A state agency is not required to provide the hours of
8 leave under Subsection (d) to an employee who is a correctional
9 officer and is performing critical duties for the agency as
10 determined by the agency.

11 (f) An institution of higher education as defined by Section
12 61.003, Education Code, may provide four hours of leave time each
13 year to an employee who completes either an online health risk
14 assessment tool provided by the board or a similar health risk
15 assessment conducted in person by a worksite wellness coordinator.

16 SECTION 3. Section 1551.061, Insurance Code, is amended to
17 read as follows:

18 Sec. 1551.061. ANNUAL REPORTS [~~REPORT~~]. (a) The board of
19 trustees shall submit a written report not later than January 1 of
20 each year to the governor, lieutenant governor, speaker of the
21 house of representatives, and Legislative Budget Board concerning
22 the coverages provided and the benefits and services being received
23 by all participants under this chapter. The report must include
24 information about the effectiveness and efficiency of:

- 25 (1) managed care cost containment practices; and
- 26 (2) fraud detection and prevention procedures.

27 (b) The board of trustees shall submit a written report not

1 later than January 1 of each year to the governor and Legislative
2 Budget Board that includes:

3 (1) a population-based summary of the health risk
4 assessments completed under Section 664.061, Government Code,
5 during the preceding state fiscal year; and

6 (2) an evaluation of the Employees Retirement System
7 of Texas' weight management programs.

8 SECTION 4. This Act takes effect September 1, 2009.