

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 19, 2009**

**TO:** Honorable Robert Duncan, Chair, Senate Committee on State Affairs

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: SB871** by Lucio (Relating to the state employee wellness program, including health risk assessments of state employees.), **Committee Report 1st House, Substituted**

**No significant fiscal implication to the State is anticipated.**

The bill would implement a recommendation in the Legislative Budget Board (LBB) *Government Effectiveness and Efficiency Report* entitled "Reduce Healthcare Costs and Consequences of Obesity among State Employees."

This bill would require the statewide wellness coordinator at the Department of State Health Services to develop an online questionnaire for state agency heads to report their policies on: leave time for employees to complete a health risk assessment, leave time for receiving a physical examination, providing employees time during the work days to exercises, and whether the agency has a wellness coordinator or council.

The bill would also require each state agency with 50 employees or more to create a wellness policy that would be updated annually and submitted to the statewide wellness coordinator. The executive head of each state agency would have to submit the agency's wellness information to the state wellness coordinator annually through the online questionnaire.

The bill would amend current statute by splitting the requirements for granting additional leave time to employees for the purpose of promoting health. Currently an employee may be granted eight hours of additional leave time each year for receiving a physical exam and completing a health risk assessment. This bill would require state agencies to provide state employees with four hours of leave time each year for completing an online health risk assessment provided by the board or a similar health risk assessment conducted in person by a worksite wellness coordinator. A state agency would not be required to provide the four hours of leave to an employee who is a correctional officer and is performing critical duties for the agency as determined by the agency. Institutions of higher education may grant their employees four hours of leave time each year for completing a health risk assessment.

The bill would also require the Employees Retirement System (ERS) to submit an annual report to the governor and the LBB that would include a population-based summary of the health risk assessments completed during the preceding state fiscal year and an evaluation of the weight management programs in the Group Benefits Program.

DSHS reports that it could complete the online questionnaire using existing resources. ERS reports that it could complete the annual report and evaluation of weight management programs using existing resources.

The bill would take effect September 1, 2009.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 327 Employees Retirement System

**LBB Staff:** JOB, KJG, JI, ACI