

HOUSE BILL No. 5409

November 8, 2005, Introduced by Reps. Mortimer, Gaffney, LaJoy, Marleau, Hune, Stahl, Taub, Newell, Vander Veen and Ward and referred to the Committee on Insurance.

A bill to amend 1956 PA 218, entitled
"The insurance code of 1956,"
(MCL 500.100 to 500.8302) by adding section 3704.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 SEC. 3704. (1) EACH CARRIER MAY OFFER A WELLNESS HEALTH
2 BENEFIT PLAN THAT PROVIDES FOR AN APPROPRIATE REBATE OF PREMIUMS
3 PAID IN THE LAST CALENDAR YEAR FOR THE WELLNESS COVERAGE IF THE
4 MAJORITY OF COVERED EMPLOYEES IN THE WELLNESS HEALTH BENEFIT PLAN
5 HAVE ENROLLED AND MAINTAINED PARTICIPATION IN ANY HEALTH WELLNESS,
6 MAINTENANCE, OR IMPROVEMENT PROGRAM OFFERED BY THE EMPLOYER. THE
7 EMPLOYER SHALL PROVIDE EVIDENCE OF DEMONSTRATIVE MAINTENANCE OR
8 IMPROVEMENT OF THE EMPLOYEES' HEALTH STATUS AS DETERMINED BY
9 ASSESSMENTS OF AGREED-UPON HEALTH STATUS INDICATORS BETWEEN THE

1 EMPLOYER AND THE CARRIER, INCLUDING, BUT NOT LIMITED TO,
2 IMPROVEMENTS IN NUTRITION AND PHYSICAL EXERCISE AND COMPLIANCE WITH
3 DISEASE MANAGEMENT PROGRAMS AND PREVENTIVE SERVICE GUIDELINES THAT
4 ARE SUPPORTED BY EVIDENCE-BASED MEDICAL PRACTICE. ANY REBATE
5 PROVIDED BY THE CARRIER IS PRESUMED TO BE APPROPRIATE UNLESS
6 CREDIBLE DATA DEMONSTRATE OTHERWISE.

7 (2) THE PREMIUM REBATE AUTHORIZED BY SUBSECTION (1) SHALL BE
8 PROVIDED EACH YEAR THAT SUBSECTION (1) IS SATISFIED.