

SUBSTITUTE FOR  
SENATE BILL NO. 849

A bill to amend 1980 PA 350, entitled  
"The nonprofit health care corporation reform act,"  
(MCL 550.1101 to 550.1704) by adding section 414b.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1        SEC. 414B. (1) A HEALTH CARE CORPORATION MAY OFFER GROUP  
2 WELLNESS COVERAGE. WELLNESS COVERAGE MAY PROVIDE FOR AN APPROPRIATE  
3 REBATE OR REDUCTION IN PREMIUMS OR FOR REDUCED COPAYMENTS,  
4 COINSURANCE, OR DEDUCTIBLES, OR A COMBINATION OF THESE INCENTIVES,  
5 FOR PARTICIPATION IN ANY HEALTH BEHAVIOR WELLNESS, MAINTENANCE, OR  
6 IMPROVEMENT PROGRAM OFFERED BY THE EMPLOYER. THE EMPLOYER SHALL  
7 PROVIDE EVIDENCE OF DEMONSTRATIVE MAINTENANCE OR IMPROVEMENT OF THE  
8 MEMBERS' HEALTH BEHAVIORS AS DETERMINED BY ASSESSMENTS OF AGREED-  
9 UPON HEALTH STATUS INDICATORS BETWEEN THE EMPLOYER AND THE HEALTH

1 CARE CORPORATION. ANY REBATE OR PREMIUM PROVIDED BY THE HEALTH CARE  
2 CORPORATION IS PRESUMED TO BE APPROPRIATE UNLESS CREDIBLE DATA  
3 DEMONSTRATE OTHERWISE, BUT SHALL NOT EXCEED 10% OF PAID PREMIUMS. A  
4 HEALTH CARE CORPORATION SHALL MAKE AVAILABLE TO EMPLOYERS ALL  
5 WELLNESS COVERAGE PLANS THAT IT MARKETS TO EMPLOYERS IN THIS STATE.

6 (2) A HEALTH CARE CORPORATION MAY OFFER NONGROUP WELLNESS  
7 COVERAGE. WELLNESS COVERAGE MAY PROVIDE FOR AN APPROPRIATE REBATE  
8 OR REDUCTION IN PREMIUMS OR FOR REDUCED COPAYMENTS, COINSURANCE, OR  
9 DEDUCTIBLES, OR A COMBINATION OF THESE INCENTIVES, FOR  
10 PARTICIPATION IN ANY HEALTH BEHAVIOR WELLNESS, MAINTENANCE, OR  
11 IMPROVEMENT PROGRAM APPROVED BY THE HEALTH CARE CORPORATION. THE  
12 MEMBER SHALL PROVIDE EVIDENCE OF DEMONSTRATIVE MAINTENANCE OR  
13 IMPROVEMENT OF THE INDIVIDUAL'S OR FAMILY'S HEALTH BEHAVIORS AS  
14 DETERMINED BY ASSESSMENTS OF AGREED-UPON HEALTH STATUS INDICATORS  
15 BETWEEN THE MEMBER AND THE HEALTH CARE CORPORATION. ANY REBATE OF  
16 PREMIUM PROVIDED BY THE HEALTH CARE CORPORATION IS PRESUMED TO BE  
17 APPROPRIATE UNLESS CREDIBLE DATA DEMONSTRATE OTHERWISE, BUT SHALL  
18 NOT EXCEED 10% OF PAID PREMIUMS. A HEALTH CARE CORPORATION SHALL  
19 MAKE AVAILABLE TO INDIVIDUALS ALL WELLNESS COVERAGE PLANS THAT IT  
20 MARKETS TO INDIVIDUALS IN THIS STATE.

21 (3) A HEALTH CARE CORPORATION IS NOT REQUIRED TO CONTINUE ANY  
22 HEALTH BEHAVIOR WELLNESS, MAINTENANCE, OR IMPROVEMENT PROGRAM OR TO  
23 CONTINUE ANY INCENTIVE ASSOCIATED WITH A HEALTH BEHAVIOR WELLNESS,  
24 MAINTENANCE, OR IMPROVEMENT PROGRAM.

25 Enacting section 1. This amendatory act takes effect January  
26 1, 2007.

27 Enacting section 2. It is only the intent of this amendatory

- 1 act to promote the availability of health behavior wellness,
- 2 maintenance, and improvement programs.