

BILL ANALYSIS

Senate Research Center
81R21492 YDB-D

C.S.S.B. 871
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State Affairs
4/19/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Obesity-related costs in Texas are soaring, yet only five percent of health care costs are used for prevention. Costs associated with state employees in Texas have increased 53 percent since 2000. Unless Texas invests now in effective interventions to address preventable health problems, related costs will have significant impact on the state budget for decades to come.

Through the implementation of policies to improve nutrition, activity, and overall health, worksite wellness programs aim to reduce health related expenses for employees and employers, in addition to reducing employee absenteeism and presenteeism. Legislation passed by the 80th Legislature created a worksite wellness program for state employees.

The purpose of this legislation is to expand current worksite wellness policies for state employees, with the goal of improving employee health and reducing related costs.

C.S.S.B. 871 amends current law relating to the state employee wellness program, including health risk assessments of state employees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 664.053(b), Government Code, as follows:

(b) Requires the statewide wellness coordinator to perform certain duties, including to create an online questionnaire for state agency heads to report information, including the agency policy on leave time for employees to complete a health risk assessment, the agency policy on leave time for employees to receive an annual physical examination, the agency policy on providing employees time during the workday to exercise, and whether the agency has a wellness coordinator or council.

SECTION 2. Amends Section 664.061, Government Code, as follows:

Sec. 664.061. AGENCY WELLNESS POLICIES. (a) Requires each state agency with more than 50 employees to create and annually update a worksite wellness policy.

(b) Requires the executive head of a state agency to submit the agency's worksite wellness information to the statewide wellness coordinator annually through the online questionnaire under Section 664.053(b)(6) (relating to an online questionnaire for state agency heads to report certain information).

(c) Creates this subsection from existing text. Authorizes a state agency to provide four, rather than eight, hours of additional leave time each year to an employee who receives a physical examination.

(d) Requires a state agency, except as provided by Subsection (e), to provide four hours of leave time each year to an employee who completes either an online health risk assessment tool provided by the Worksite Wellness Advisory Board

(board) or a similar health risk assessment conducted in person by a worksite wellness coordinator. Makes nonsubstantive changes.

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

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

SECTION 3. Amends Section 1551.061, Insurance Code, as follows:

Sec. 1551.061. New heading: ANNUAL REPORTS. (a) Creates this subsection from existing text.

(b) Requires the board of trustees of the Employees Retirement System of Texas to submit a written report not later than January 1 of each year to the governor and Legislative Budget Board that includes a population-based summary of the health risk assessments completed under Section 664.061, Government Code, during the preceding state fiscal year, and an evaluation of the Employees Retirement System of Texas' weight management programs.

SECTION 4. Effective date: September 1, 2009.