

HR 3688

To encourage programs of health promotion or disease prevention.

Congress: 111 (2009–2011, Ended)

Chamber: House

Policy Area: Health

Introduced: Oct 1, 2009

Current Status: Referred to the Subcommittee on Health, Employment, Labor, and Pensions.

Latest Action: Referred to the Subcommittee on Health, Employment, Labor, and Pensions. (Nov 16, 2009)

Official Text: <https://www.congress.gov/bill/111th-congress/house-bill/3688>

Sponsor

Name: Rep. Arcuri, Michael A. [D-NY-24]

Party: Democratic • **State:** NY • **Chamber:** House

Cosponsors (14 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Buyer, Steve [R-IN-4]	R · IN		Oct 1, 2009
Rep. Castle, Michael N. [R-DE-At Large]	R · DE		Oct 1, 2009
Rep. Deal, Nathan [R-GA-9]	R · GA		Oct 1, 2009
Rep. Donnelly, Joe [D-IN-2]	D · IN		Oct 1, 2009
Rep. Polis, Jared [D-CO-2]	D · CO		Oct 1, 2009
Rep. Murphy, Patrick J. [D-PA-8]	D · PA		Oct 22, 2009
Rep. Emerson, Jo Ann [R-MO-8]	R · MO		Oct 27, 2009
Rep. McCaul, Michael T. [R-TX-10]	R · TX		Oct 27, 2009
Rep. Roe, David P. [R-TN-1]	R · TN		Oct 27, 2009
Rep. Cassidy, Bill [R-LA-6]	R · LA		Nov 7, 2009
Rep. Kratovil, Frank, Jr. [D-MD-1]	D · MD		Nov 7, 2009
Rep. Murphy, Scott [D-NY-20]	D · NY		Dec 1, 2009
Rep. Dahlkemper, Kathleen A. [D-PA-3]	D · PA		Dec 11, 2009
Rep. Shuler, Heath [D-NC-11]	D · NC		Jan 19, 2010

Committee Activity

Committee	Chamber	Activity	Date
Education and Workforce Committee	House	Referred to	Nov 16, 2009
Energy and Commerce Committee	House	Referred to	Oct 2, 2009
Ways and Means Committee	House	Referred To	Oct 1, 2009

Subjects & Policy Tags

Policy Area:

Health

Related Bills

Bill	Relationship	Last Action
111 HR 3590	Related bill	Mar 23, 2010: Became Public Law No: 111-148.
111 HR 3468	Related bill	Sep 8, 2009: Referred to the Subcommittee on Health.

Summary (as of Oct 1, 2009)

Prohibits anything in the Employee Retirement Income Security Act of 1974, the Internal Revenue Code, or the Public Health Service Act from being interpreted to prevent any health insurance provider from establishing premium discounts or rebates, or modifying copayments or deductibles, for individuals who participate in a health promotion or disease prevention (wellness) program which meets this Act's requirements.

States that if none of the conditions for obtaining a premium discount, rebate, or other reward for participation in a wellness program is based on an individual satisfying a standard related to a health status factor, such program shall not violate this Act if participation is made available to all similarly situated individuals with respect to a program: (1) that reimburses the cost for memberships in a fitness center; (2) of diagnostic testing that provides a reward for participation not based on outcomes; (3) that encourages preventive care related to a health condition through the waiver of the copayment or deductible requirement under a health plan for costs related to a health condition (such as prenatal care or well-baby visits); (4) that reimburses individuals for the costs of smoking cessation programs without regard to whether the individual quits smoking; and (5) that rewards individuals for attending a periodic health education seminar.

Provides that if any of the conditions for obtaining a premium discount, rebate, or other reward for participation in a wellness program is based on an individual satisfying a standard related to a health status factor, the program shall not violate this Act if specified conditions are met, including that: (1) the reward for the program, together with the reward for other wellness programs regarding the plan that requires satisfaction of a standard related to a health status factor, does not exceed 30% of the cost of employee-only coverage under the plan; (2) the program is reasonably designed to promote health or prevent disease; (3) the plan gives individuals eligible for the program the opportunity to qualify for the reward at least annually; and (4) the full reward under the program is made available to all similarly situated individuals.

Actions Timeline

- **Nov 16, 2009:** Referred to the Subcommittee on Health, Employment, Labor, and Pensions.
- **Oct 2, 2009:** Referred to the Subcommittee on Health.
- **Oct 1, 2009:** Introduced in House
- **Oct 1, 2009:** Referred to House Energy and Commerce
- **Oct 1, 2009:** Referred to the Committee on Energy and Commerce, and in addition to the Committees on Education and Labor, and Ways and Means, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.
- **Oct 1, 2009:** Referred to House Education and Labor
- **Oct 1, 2009:** Referred to House Ways and Means