

110TH CONGRESS
1ST SESSION

S. 1754

To amend the Public Health Service Act to provide for a workplace wellness education campaign and an evaluation of employer-based wellness programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JULY 9, 2007

Mr. HARKIN (for himself and Mr. SMITH) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

A BILL

To amend the Public Health Service Act to provide for a workplace wellness education campaign and an evaluation of employer-based wellness programs, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. CDC AND EMPLOYER-BASED WELLNESS PRO-**
4 **GRAMS.**

5 Title III of the Public Health Service Act (42 U.S.C.
6 241 et seq.) is amended by adding at the end the fol-
7 lowing:

1 **“PART R—CDC AND EMPLOYER-BASED**
2 **WELLNESS PROGRAMS**

3 **“SEC. 399Z-1. MOTIVATING EMPLOYERS TO IMPLEMENT**
4 **WORKPLACE WELLNESS PROGRAMS.**

5 “(a) **WORKPLACE WELLNESS MARKETING CAMPAIGN**
6 **FOR EMPLOYERS.**—The Director of the Centers for Dis-
7 ease Control and Prevention, in coordination with relevant
8 worksite health promotion organizations, shall conduct an
9 educational campaign to make employers, employer
10 groups, and other interested parties aware of the benefits
11 of employer-based wellness programs.

12 “(b) **EMPLOYER AWARD PROGRAM.**—The Director of
13 the Centers for Disease Control and Prevention shall de-
14 velop an annual awards program for employers to encour-
15 age the development of creative and effective solutions to
16 help employees maintain or improve their health. The
17 awards program shall provide that small, medium, and
18 large employers that are public or private shall be eligible
19 for the awards.

20 **“SEC. 399Z-2. EVALUATION OF EMPLOYER-BASED**
21 **WELLNESS PROGRAMS.**

22 “The Director of the Centers for Disease Control and
23 Prevention shall enter into contracts with entities to—

24 “(1) provide employers (including small, me-
25 dium, and large employers, as determined by the Di-
26 rector) with technical assistance in evaluating such

1 employers' employer-based wellness programs, in-
2 cluding—

3 “(A) measuring the participation of em-
4 ployees in such programs; and

5 “(B) evaluating such programs as they re-
6 late to changes in the health status of employ-
7 ees, the absenteeism of employees, the produc-
8 tivity of employees, the rate of workplace in-
9 jury, and the medical costs incurred by employ-
10 ees; and

11 “(2) train employers on how to evaluate such
12 employers' employer-based wellness programs.

13 **“SEC. 399Z-3. NATIONAL WORKSITE HEALTH POLICIES AND**
14 **PROGRAMS STUDY.**

15 “(a) IN GENERAL.—Not later than 1 year after the
16 date of enactment of this section, and annually thereafter,
17 the Director of the Centers for Disease Control and Pre-
18 vention shall conduct a national worksite health policies
19 and programs study to assess employer-based health poli-
20 cies and programs.

21 “(b) REPORT.—After completing each study under
22 subsection (a), the Director of the Centers for Disease
23 Control and Prevention shall submit to Congress a report
24 that includes the recommendations of the Director for the

1 implementation of effective employer-based health policies
2 and programs.

3 **“SEC. 399Z-4. MISCELLANEOUS PROVISIONS.**

4 “(a) BEHAVIORAL RISK FACTOR SURVEILLANCE
5 SYSTEM.—The Secretary shall expand the Behavioral
6 Risk Factor Surveillance System to include a workforce
7 component to enable employers, researchers, and health
8 officials to assess employee health risks, identify emerging
9 problems associated with general employee health, prevent
10 disease within the employee population, and improve em-
11 ployer-based health programs and policies.

12 “(b) DEMONSTRATION PROJECTS.—

13 “(1) IN GENERAL.—The Secretary, acting
14 through the Director of the Centers for Disease
15 Control and Prevention, shall award grants to enti-
16 ties to enable such entities to carry out research
17 demonstration projects to study the effect of the ap-
18 plication of new worksite-based health interventions
19 and models.

20 “(2) ELIGIBILITY.—To be eligible to receive a
21 grant under paragraph (1), an entity shall submit to
22 the Secretary an application at such time, in such
23 manner, and containing such information as the Sec-
24 retary may require.

1 “(3) BROAD PARTICIPATION.—In awarding
2 grants under paragraph (1), the Secretary shall en-
3 sure that demonstration projects are conducted in
4 both the public and private sectors and in small and
5 large employer settings.

6 “(4) SUBMISSION OF FINDINGS.—An entity
7 shall submit to the Secretary a report on the results
8 of the research conducted under the grant within
9 such period as the Secretary may prescribe. Such re-
10 port shall include any guidelines or recommendations
11 developed by the entity based on such research.

12 “(c) IMPLEMENTATION OF RESEARCH RESULTS.—
13 The Secretary shall carry out activities to implement the
14 guidelines or recommendations received by the Secretary
15 under subsection (b)(4) if the Secretary determines that
16 such guidelines of recommendations would result in im-
17 proved employee health through worksite-based health
18 programs or policies.”.

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