

# MAINE STATE LEGISLATURE

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L.D. 134

DATE: 5/24/05

(Filing No. H-480)

HEALTH AND HUMAN SERVICES

Minority

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STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
122ND LEGISLATURE  
FIRST SPECIAL SESSION

COMMITTEE AMENDMENT "A" to H.P. 112, L.D. 134, Bill, "An Act To Implement the Recommendations of the Commission To Study Public Health"

Amend the bill by striking out all of section 1.

Further amend the bill in section 2 by inserting at the end the following: 'If outside funding is not received to fully fund all costs of the commission, no meetings are authorized and no expenses of any kind may be incurred or reimbursed.'

Further amend the bill by striking out all of sections 3 and 4 and inserting in their place the following:

**Sec. 3. Dirigo Health study and report.** The Board of Directors of Dirigo Health, established pursuant to the Maine Revised Statutes, Title 24-A, chapter 87, shall consider the recommendations of the Commission to Study Public Health related to providing incentives to individuals using certain public benefit programs when it reviews the "Healthy ME Rewards" incentive program of the Dirigo Health plan. In response to the recommendations included in the final report of the Commission to Study Public Health, the Board of Directors of Dirigo Health shall conduct a study that includes the following:

1. An analysis of the extent to which the "Healthy ME Rewards" incentive program, or any quality assurance, disease prevention, disease management or cost-containment programs included as part of the Dirigo Health plan in accordance with Title 24-A, section 6910, contains incentives that encourage the purchase of healthy and nutritious food by individuals enrolled in the health plan and their dependents; and

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2           2. An analysis of the extent to which the consumer education  
4 campaign developed and conducted by the Maine Quality Forum in  
6 accordance with Title 24-A, section 6951, subsection 5 to help  
8 health care consumers make informed decisions and engage in  
10 healthy lifestyles includes information regarding the consumption  
12 of healthy and nutritious food by individuals enrolled in the  
14 Dirigo Health plan, as well as individuals who are receiving  
16 public benefits through the food stamp program.

18           The Board of Directors of Dirigo Health shall submit a  
20 report that includes findings and recommendations from the  
22 analyses of issues identified in this section as part of the  
24 annual report required by November 3, 2006 in accordance with  
26 Title 24-A, section 6908, subsection 6.

28           **Sec. 4. Comprehensive employee health program addressing**  
30 **obesity.** The Department of Administrative and Financial Services,  
32 Bureau of Human Resources, Division of Employee Health and  
34 Benefits shall implement a comprehensive, population-based  
36 approach to addressing obesity-related risk factors and disease  
38 management, including nutrition counseling and physical activity  
40 and health risk identification and management. Implementation  
42 should include:

44           1. Offering to negotiate flex-time options in collective  
46 bargaining for all state employees to encourage and support  
48 employee health;

50           2. Conducting an inventory of the availability of fitness  
centers in locations of heavy concentrations of state employees;

          3. Creating performance management objectives through which  
supervisors and managers support and encourage healthy lifestyles  
among employees they supervise; and

          4. Dedicating at least 0.5% of annual health insurance  
premiums for all state employees to support employee health and  
wellness.'

          Further amend the bill by striking out all of section 6 and  
inserting in its place the following:

          '**Sec. 6. Healthy food and beverage options at state cafeterias, snack  
bars and vending machines.** The Department of Labor, Bureau of  
Rehabilitation Services, Division of the Blind and Visually  
Impaired shall:

          1. Implement recommendations of food choice committees to  
include healthy food and beverage options at cafeterias, snack

COMMITTEE AMENDMENT "A" to H.P. 112, L.D. 134

bars and vending machines under the division's purview. These food choice committees shall consider providing price incentives for purchase of healthy foods and beverages;

2. Include in the food choice committee for any executive department that uses a cafeteria or snack bar under the division's purview a wellness coordinator from that department; and

3. Analyze the costs associated with:

A. Developing a system for tracking food purchases at cafeterias and snack bars and in vending machines under the division's purview; and

B. Performing nutritional analysis on all major-selling food items and posting caloric and nutritional information at cafeterias and snack bars under the division's purview.

The Department of Labor, Bureau of Rehabilitation Services, Division of the Blind and Visually Impaired shall report back to the Joint Standing Committee on Health and Human Services by December 1, 2005.'

Further amend the bill by inserting at the end before the summary the following:

'Sec. 9. Appropriations and allocations. The following appropriations and allocations are made.

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Miscellaneous Studies

Initiative: Allocates per diem and general operating expenses for the Commission to Study Public Health should outside sources of funding be received for this purpose.

<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>2005-06</b>	<b>2006-07</b>
Personal Services	\$880	\$880
All Other	\$5,650	\$6,400
<b>OTHER SPECIAL REVENUE FUNDS TOTAL</b>	<b>\$6,530</b>	<b>\$7,280</b>

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<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$6,530</b>	<b>\$7,280</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$6,530</b>	<b>\$7,280</b>

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**ADMINISTRATIVE AND FINANCIAL SERVICES,  
DEPARTMENT OF**

**Salary Plan**

Initiative: Appropriates and allocates funds for the additional costs of health insurance to the State resulting from the requirement that 0.5% of annual health insurance premiums be used to support employee health and wellness programs.

<b>GENERAL FUND</b>	<b>2005-06</b>	<b>2006-07</b>
Personal Services	\$63,780	\$261,321
<b>GENERAL FUND TOTAL</b>	<hr/>	<hr/>
	\$63,780	\$261,321
<b>HIGHWAY FUND</b>	<b>2005-06</b>	<b>2006-07</b>
Personal Services	\$27,033	\$114,514
<b>HIGHWAY FUND TOTAL</b>	<hr/>	<hr/>
	\$27,033	\$114,514

**ADMINISTRATIVE AND FINANCIAL SERVICES,  
DEPARTMENT OF**

<b>DEPARTMENT TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>GENERAL FUND</b>	<b>\$63,780</b>	<b>\$261,321</b>
<b>HIGHWAY FUND</b>	<b>\$27,033</b>	<b>\$114,514</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<hr/>	<hr/>
	\$90,813	\$375,835
<b>SECTION TOTALS</b>	<b>2005-06</b>	<b>2006-07</b>
<b>GENERAL FUND</b>	<b>\$63,780</b>	<b>\$261,321</b>
<b>HIGHWAY FUND</b>	<b>\$27,033</b>	<b>\$114,514</b>
<b>OTHER SPECIAL REVENUE FUNDS</b>	<b>\$6,530</b>	<b>\$7,280</b>
<b>SECTION TOTAL - ALL FUNDS</b>	<hr/>	<hr/>
	\$97,343	\$383,115'

Further amend the bill by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment is the minority report of the committee. It strikes from the bill the Maine Obesity Prevention Fund. It adds a prohibition on expenditures in the absence of obtaining outside funding for the Commission to Study Public Health. It strikes reference to information gathered from the food stamp program

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with regard to consumer buying habits. It strikes a provision that would have added at least one position to develop a health improvement infrastructure. The amendment removes the requirement of tracking purchases and analyzing nutritional content of foods sold through the Department of Labor, Bureau of Rehabilitation Services, Division of the Blind and Visually Impaired.

**FISCAL NOTE REQUIRED**  
**(See attached)**

**COMMITTEE AMENDMENT**



# 122nd MAINE LEGISLATURE

LD 134

LR 0159(02)

## An Act To Implement the Recommendations of the Commission To Study Public Health

Fiscal Note for Bill as Amended by Committee Amendment "A"

Committee: Health and Human Services

Fiscal Note Required: Yes

### Fiscal Note

#### Current Costs - Legislative Study

	Current Costs - Legislative Study		Projections	Projections
	2005-06	2006-07	2007-08	2008-09
<b>Net Cost (Savings)</b>				
General Fund	\$63,780	\$261,321	\$267,854	\$274,550
Highway Fund	\$27,033	\$114,514	\$117,377	\$120,311
<b>Appropriations/Allocations</b>				
General Fund	\$63,780	\$261,321	\$267,854	\$274,550
Highway Fund	\$27,033	\$114,514	\$117,377	\$120,311
Other Special Revenue Funds	\$6,530	\$7,280	\$0	\$0

#### Fiscal Detail and Notes

The bill's requirement that 0.5% of annual health insurance premiums for state employees be dedicated to support employee health and wellness programs would result in additional costs to the state employee health program. While some of the current expenses of the state employee health program may be "countable" toward this requirement, it is assumed meeting this requirement as well as existing program obligations could not be accomplished within existing resources and would require a rate increase to keep the state employee health program adequately funded. Such a rate increase would result in additional costs to the General Fund, Highway Fund, and all other funds with allocated costs of the state employee health program.

General Fund appropriations of \$63,780 for 2005-06 and \$261,321 for 2006-07 and Highway Fund allocations of \$27,033 for 2005-06 and \$114,514 for 2006-07 are included in the bill for the salary plan reserve accounts to fund the increases for General Fund and Highway Fund active employee health insurance costs. The costs for employees paid by other funds, including a small amount for the Fund for a Healthy Maine, may require increased allotments as recommended by the State Budget Officer and approved by the Governor. It is further assumed this requirement would apply to the contract year beginning April 1, 2006.

Any additional costs to the Dirigo Health program in implementing Section 3 of the bill can be absorbed by the Dirigo Health program utilizing existing budgetary resources.

Additional costs to the Department of Labor, Division of Blind and Visually Impaired can be absorbed within existing budgeted resources.

### **Legislative Study**

Extending the Commission to Study Public Health will require the Commission to seek funds from other sources to fully fund all costs of the commission. Consistent with provisions of Resolve 2003, Chapter 95, before meetings are authorized and expenses can be incurred or reimbursed, sufficient outside funding must be received. All contributions are subject to approval of the Legislative Council.

An allocation of Other Special Revenue funds in the amount of \$6,530 in fiscal year 2005-06 and \$7,280 in fiscal year 2006-07 is needed to fund all costs of the commission from this dedicated account should outside sources of funding be received. If sufficient funds are not received, no meeting can be held or costs incurred.

The Commission to Study Public Health received contributions in the amount of \$7,280 as a result of Resolve 2003, chapter 95. Expenditures for the previous work of the commission were \$4,220.31. There currently is an unexpended balance of \$3,059.69 which would be available to fund a portion of the costs of the commission, if the commission is extended.