

110TH CONGRESS  
1ST SESSION

# H. R. 853

To promote preventive health care for Americans.

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## IN THE HOUSE OF REPRESENTATIVES

FEBRUARY 6, 2007

Mr. KNOLLENBERG introduced the following bill; which was referred to the Committee on Ways and Means, and in addition to the Committee on Energy and Commerce, 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

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## A BILL

To promote preventive health care for Americans.

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. SHORT TITLE.**

4 This Act may be cited as the “Wellness and Preven-  
5 tion Act of 2007”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds as follows:

8 (1) Improving the health of the population and  
9 reducing medical costs requires implementation of  
10 preventive methods.

1           (2) Organizations throughout the United States  
2           have expressed the need for an increase of public  
3           health professionals.

4           (3) There are only approximately 6,000 physi-  
5           cians board certified in preventive medicine.

6           (4) Many health care costs are spent on chronic  
7           conditions that could be avoided by implementing  
8           preventive methods.

9           (5) The number of preventive medicine resi-  
10          dency programs and individuals pursuing preventive  
11          medicine has significantly decreased in recent years.

12          (6) Preventive medicine physicians are uniquely  
13          trained to serve patients and communities.

14          (7) A strong public health system requires a  
15          strong preventive medicine workforce.

16 **SEC. 3. LOAN PAYMENT ASSISTANCE FOR PREVENTIVE**  
17 **MEDICINE PHYSICIANS.**

18          (a) **PAYMENTS.**—On behalf of any eligible preventive  
19          medicine physician, the Secretary of Health and Human  
20          Services may pay up to \$20,000 of the medical education  
21          loans incurred by the physician.

22          (b) **APPLICATION.**—To request a payment under this  
23          section, an eligible preventive medicine physician shall  
24          submit an application to the Secretary at such time, in

1 such manner, and containing such information as the Sec-  
2 retary may require.

3 (c) DEFINITIONS.—In this section:

4 (1) The term “eligible preventive medicine phy-  
5 sician” means a practicing physician who receives  
6 board certification in preventive medicine during the  
7 period of fiscal years 2008 through 2012.

8 (2) The term “medical education loan” means  
9 the outstanding principal of and interest on a loan  
10 incurred for the cost of attendance (including tui-  
11 tion, other reasonable educational expenses, and rea-  
12 sonable living costs) at a school of medicine.

13 (3) The term “school of medicine” has the  
14 meaning given to that term in section 799B of the  
15 Public Health Service Act (42 U.S.C. 295p).

16 (4) The term “Secretary” means the Secretary  
17 of Health and Human Services.

18 (d) AUTHORIZATION OF APPROPRIATIONS.—To carry  
19 out this section, there are authorized to be appropriated  
20 such sums as may be necessary for each of fiscal years  
21 2008 through 2012.

22 **SEC. 4. WELLNESS PROGRAM EMPLOYER CREDIT.**

23 (a) IN GENERAL.—Subpart D of part IV of sub-  
24 chapter A of chapter 1 of the Internal Revenue Code of

1 1986 (relating to business related credits) is amended by  
2 inserting after section 45N the following new section:

3 **“SEC. 45O. WELLNESS PROGRAM EMPLOYER CREDIT.**

4 “(a) GENERAL RULE.—For purposes of section 38,  
5 the wellness program employer credit determined under  
6 this section for any taxable year is an amount equal to  
7 25 percent of the expenses paid or incurred by the eligible  
8 employer during the taxable year to develop and imple-  
9 ment a qualified wellness program.

10 “(b) DOLLAR LIMITATION.—The amount of the cred-  
11 it determined under this section for any taxable year shall  
12 not exceed \$200 per qualified employee employed by the  
13 eligible employer during the taxable year.

14 “(c) DEFINITIONS.—For purposes of this section—

15 “(1) ELIGIBLE EMPLOYER.—With respect to a  
16 taxable year, the term ‘eligible employer’ means an  
17 employer who—

18 “(A) develops and implements a qualified  
19 wellness program, and

20 “(B) keeps accurate records of the preven-  
21 tive services and other programs in which the  
22 eligible employer’s employees have participated  
23 during the taxable year.

1           “(2) QUALIFIED WELLNESS PROGRAM.—With  
2           respect to an eligible employer, the term ‘qualified  
3           wellness program’ means a program—

4                   “(A) that is developed and implemented by  
5                   the eligible employer, in consultation with an in-  
6                   dividual who has implemented a wellness pro-  
7                   gram for a different employer and who will en-  
8                   sure compliance with appropriate measures to  
9                   protect the privacy of program participants,

10                   “(B) that conducts health risk assessments  
11                   for each of the program’s participants,

12                   “(C) that offers at least 2 of the preventive  
13                   services strongly recommended by the U.S. Pre-  
14                   ventive Services Task Force on an annual basis,

15                   “(D) that offers annual counseling sessions  
16                   and seminars related to at least 3 of the fol-  
17                   lowing:

18                           “(i) smoking,

19                           “(ii) obesity,

20                           “(iii) stress management,

21                           “(iv) physical fitness,

22                           “(v) nutrition,

23                           “(vi) substance abuse,

24                           “(vii) depression,

25                           “(viii) mental health,

1 “(ix) heart disease, and

2 “(x) maternal and infant health, and

3 “(E) whose qualified participants include  
4 not less than 50 percent of the eligible employ-  
5 er’s full-time employees.

6 “(3) QUALIFIED EMPLOYEE.—With respect to  
7 an eligible employer, the term ‘qualified employee’  
8 means an individual who is—

9 “(A) a full-time employee of the eligible  
10 employer, and

11 “(B) a qualified participant in the eligible  
12 employer’s qualified wellness program.

13 “(4) QUALIFIED PARTICIPANT.—With respect  
14 to a taxable year, the term ‘qualified participant’  
15 means an individual—

16 “(A) who participates in at least 2 of the  
17 annual preventive services or other programs  
18 offered through a qualified wellness program  
19 during the taxable year, and

20 “(B) with respect to whom a health risk  
21 assessment has been conducted during the tax-  
22 able year,

23 as determined by the eligible employer who has de-  
24 veloped and implemented such qualified wellness  
25 program.

1 “(d) TERMINATION.—This section shall not apply in  
2 taxable years beginning after December 31, 2012.”.

3 (b) CONFORMING AMENDMENTS.—

4 (1) Section 38(b) of such Code is amended by  
5 striking “plus” at the end of paragraph (30), by  
6 striking the period at the end of paragraph (31) and  
7 inserting “, plus”, and by adding at the end the fol-  
8 lowing new paragraph:

9 “(32) the wellness program employer credit de-  
10 termined under section 45O(a).”.

11 (2) The table of sections for subpart D of part  
12 IV of subchapter A of chapter 1 of such Code is  
13 amended by inserting after the item relating to sec-  
14 tion 45N the following new item:

“Sec. 45O. Wellness program employer credit.”.

15 (c) EFFECTIVE DATE.—The amendments made by  
16 this section shall apply to taxable years beginning after  
17 December 31, 2007.

18 **SEC. 5. WELLNESS PROGRAM PARTICIPANT CREDIT.**

19 (a) IN GENERAL.—Subpart A of part IV of sub-  
20 chapter A of chapter 1 of the Internal Revenue Code of  
21 1986 (relating to nonrefundable personal credits) is  
22 amended by inserting after section 25D the following new  
23 section:

1 **“SEC. 25E. WELLNESS PROGRAM PARTICIPANT CREDIT.**

2       “(a) ALLOWANCE OF CREDIT.—In the case of a  
3 qualified employee, there shall be allowed as a credit  
4 against the tax imposed by this subtitle for the taxable  
5 year an amount equal to \$200.

6       “(b) DEFINITIONS.—For purposes of this section—

7           “(1) QUALIFIED EMPLOYEE.—With respect to  
8 an eligible employer, the term ‘qualified employee’  
9 means an individual who is—

10               “(A) a full-time employee of the eligible  
11 employer, and

12               “(B) a qualified participant in the eligible  
13 employer’s qualified wellness program.

14           “(2) QUALIFIED PARTICIPANT.—With respect  
15 to a taxable year, the term ‘qualified participant’  
16 means an individual—

17               “(A) who participates in at least 2 of the  
18 annual preventive services or other programs  
19 offered through a qualified wellness program  
20 during the taxable year, and

21               “(B) with respect to whom a health risk  
22 assessment has been conducted during the tax-  
23 able year,

24 as determined by the eligible employer who has de-  
25 veloped and implemented such qualified wellness  
26 program.

1           “(3) QUALIFIED WELLNESS PROGRAM.—With  
2           respect to an eligible employer, the term ‘qualified  
3           wellness program’ means a program—

4                   “(A) that is developed and implemented by  
5                   the eligible employer, in consultation with an in-  
6                   dividual who has implemented a wellness pro-  
7                   gram for a different employer and who will en-  
8                   sure compliance with appropriate measures to  
9                   protect the privacy of program participants,

10                   “(B) that conducts health risk assessments  
11                   for each of the program’s participants,

12                   “(C) that offers at least 2 of the preventive  
13                   services strongly recommended by the U.S. Pre-  
14                   ventive Services Task Force on an annual basis,

15                   “(D) that offers annual counseling sessions  
16                   and seminars related to at least 3 of the fol-  
17                   lowing:

18                           “(i) smoking,

19                           “(ii) obesity,

20                           “(iii) stress management,

21                           “(iv) physical fitness,

22                           “(v) nutrition,

23                           “(vi) substance abuse,

24                           “(vii) depression,

25                           “(viii) mental health,

1 “(ix) heart disease, and

2 “(x) maternal and infant health, and

3 “(E) whose qualified participants include  
4 not less than 50 percent of the eligible employ-  
5 er’s full-time employees.

6 “(4) ELIGIBLE EMPLOYER.—With respect to a  
7 taxable year, the term ‘eligible employer’ means an  
8 employer who—

9 “(A) develops and implements a qualified  
10 wellness program, and

11 “(B) keeps accurate records of the preven-  
12 tive services and other programs in which the  
13 eligible employer’s employees have participated  
14 during the taxable year.

15 “(c) TERMINATION.—This section shall not apply in  
16 taxable years beginning after December 31, 2012.”.

17 (b) CONFORMING AMENDMENT.—The table of sec-  
18 tions for subpart A of part IV of subchapter A of chapter  
19 1 of such Code is amended by inserting after the item  
20 relating to section 25D the following new item:

“Sec. 25E. Wellness program participant credit.”.

21 (c) EFFECTIVE DATE.—The amendments made by  
22 this section shall apply to taxable years beginning after  
23 December 31, 2007.

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