



## CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

October 26, 2017

### **H.R. 1313** **Preserving Employee Wellness Programs Act**

*As ordered reported by the House Committee on Education and the Workforce  
on March 8, 2017*

H.R. 1313 would exempt workplace wellness programs from some provisions of the Americans with Disabilities Act (ADA) and the Genetic Information Nondiscrimination Act (GINA). If enacted, wellness programs that meet certain requirements in the Public Health Service Act (PHSA) would be exempt from some non-discrimination and privacy requirements under the ADA and GINA. The bill also would allow employers to collect health information from an employee's spouse or children as a part of a wellness program, which is currently only permissible if certain privacy conditions are met.

If H.R. 1313 were enacted, the Equal Employment Opportunity Commission (EEOC) would likely need to revise existing regulations on wellness programs. Based on information from the EEOC, CBO estimates that promulgating those regulations would cost less than \$1 million over the 2018-2022 period; any spending would be subject to the availability of appropriated funds.

The bill would not directly affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting H.R. 1313 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2028.

H.R. 1313 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on state, local, or tribal governments.

The CBO staff contact for this estimate is Emily King. The estimate was approved by Holly Harvey, Deputy Assistant Director for Budget Analysis.