

~~(H) MEETS SALARY AND WAGE REQUIREMENTS ESTABLISHED BY THE COMMISSION;~~

~~(2) ESTABLISHES A PAYROLL DEDUCTION PLAN THAT SATISFIES § 125 OF THE INTERNAL REVENUE CODE;~~

~~(3) AGREES TO OFFER A BONA FIDE WELLNESS PROGRAM, AS REQUIRED BY THE COMMISSION; AND~~

~~(4) MEETS ANY OTHER REQUIREMENTS ESTABLISHED BY THE COMMISSION.~~

~~(B) A SUBSIDY OF HEALTH INSURANCE PREMIUM CONTRIBUTIONS MADE BY A SMALL EMPLOYER:~~

~~(1) MAY NOT EXCEED THE LOWER OF:~~

~~(i) 50% OF THE SMALL EMPLOYER CONTRIBUTION; OR~~

~~(ii) AN AMOUNT ESTABLISHED BY THE COMMISSION; AND~~

~~(2) MAY BE CALCULATED ON A SLIDING SCALE.~~

~~(C) THE COMMISSION MAY ALTER THE SUBSIDY AMOUNT PROVIDED UNDER SUBSECTION (B) OF THIS SECTION ACCORDING TO THE NUMBER OF EMPLOYEES OF THE SMALL EMPLOYER.~~

~~(D) THE TOTAL AMOUNT OF ALL SUBSIDIES PROVIDED UNDER THIS SECTION SHALL BE SUBJECT TO THE LIMITATIONS OF THE STATE BUDGET.~~

15-12A-04.

(A) A SMALL EMPLOYER THAT PROVIDES A SMALL EMPLOYER HEALTH BENEFIT PLAN THAT IS COMPATIBLE WITH A HEALTH SAVINGS ACCOUNT MAY BE ELIGIBLE FOR A SUBSIDY UNDER THE PROGRAM IF:

(1) THE HEALTH BENEFIT PLAN IS OFFERED WITH A WELLNESS BENEFIT; AND

(2) THE SMALL EMPLOYER MEETS THE ELIGIBILITY REQUIREMENTS UNDER § 15-12A-03 OF THIS SUBTITLE.