

1. is an employee, partner of a partnership, or independent contractor who is included as an employee under a health benefit plan; and

2. works on a full-time basis and has a normal workweek of at least 30 hours; or

(ii) a sole employee of a nonprofit organization that has been determined by the Internal Revenue Service to be exempt from taxation under § 501(c)(3), (4), or (6) of the Internal Revenue Code who:

1. has a normal workweek of at least 20 hours; and

2. is not covered under a public or private plan for health insurance or other health benefit arrangement.

(2) "Eligible employee" does not include an individual who works:

(i) on a temporary or substitute basis; or

(ii) except for an individual described in paragraph (1)(ii) of this subsection, for less than 30 hours in a normal workweek.

(S) "WELLNESS BENEFIT" MEANS A BENEFIT OFFERED AS A RIDER TO A HEALTH BENEFIT PLAN THAT PROVIDES COVERAGE FOR A PROGRAM OR ACTIVITY THAT:

(1) IS DESIGNED TO:

(I) PREVENT OR DETECT DISEASE OR ILLNESS;

(II) REDUCE OR AVOID POOR CLINICAL OUTCOMES;

(III) PREVENT COMPLICATIONS FROM MEDICAL CONDITIONS; OR

(IV) PROMOTE HEALTHY BEHAVIORS AND LIFESTYLE CHOICES; AND

(2) COMPLIES WITH REGULATIONS ADOPTED BY THE COMMISSION.

15-1204.