

The Honorable Bob Good, Chairman  
The Honorable Mark DeSaulnier, Ranking Member  
Committee on Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions  
United States House of Representatives  
2176 Rayburn House Office Building  
Washington, D.C. 20515

Re: Questions for the Record for Scott Behrens, JD, of Lockton Companies before the Committee on Education and the Workforce Subcommittee on Health, Employment, Labor, and Pensions on "ERISA's 50th Anniversary: the Path to Higher Quality, Lower Cost Health Care."

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Chair Good, Ranking Member DeSaulnier, and members of the Committee,

Please see below responses to questions from Representative Bean. We have combined our answers to the questions, as we believe the information applies to both:

1. In my opinion, one of the most important things about ERISA is that it has enabled employers to develop initiatives and interventions to help their employees stay healthy and active participants in the workforce. I know employers spend a lot of time, energy, and resources to develop their workforce and so keeping them healthy is of critical importance. Can you discuss how ERISA has helped employers keep a healthy workforce, specifically as it relates to employees with chronic diseases or ongoing health care challenges?
2. Too often some of my friends on the other side of the aisle see government programs as the best possible solution. However, in my opinion, actively engaging individuals in their health care and keeping them active in the workforce is the most ideal outcome. Can you comment on the benefits of engaging individuals in their own health care, as well as the benefits of keeping employees active in the workforce?

We agree—plan sponsors, workers, and their families all win when plan sponsors are able to use health plan data to promote healthy lifestyles. Employer sponsored insurance, and ERISA, create a unique alignment of incentives for plan sponsors, workers, and their families, as all benefit from lower costs, improved health outcomes, and greater productivity.

Broadly speaking, plan sponsors attempt to address worker health through two types of programs: (1) traditional wellness programs that promote healthy lifestyles and (2) disease management programs for those who are already high risk / high cost. In all cases, restrictions on data access and use and excessive governmental regulation limit the effectiveness of these programs.

The specific program tactics are driven by the unique characteristics of each workforce. A workforce that is largely young, healthy, and stable may benefit more from traditional wellness programs such as regular health screenings, participation in healthy eating programs, and incentives for exercising. Whereas plan

sponsors with higher turnover or more at-risk individuals may benefit more from programs that emphasize care plan compliance, second opinions, or centers of excellence.

Lockton's data shows plan sponsors promoting health, appropriate utilization, and the efficient delivery of care regularly see lower healthcare cost increases compared to those that do not. There are greater benefits than reduced costs. Several studies show promoting a culture of health leads to less stress and greater productivity, among other societal benefits.<sup>1</sup>

There is no model better than employer sponsored insurance to align plan sponsor and worker incentives – e.g., government run health coverage and moving to all individual market coverage fail to compete.

Thank you for the opportunity to testify and I look forward to your questions.

/S/

Scott Behrens, JD  
SVP, Director Government Relations  
Lockton

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<sup>1</sup> See, e.g., Gallup, *Why Wellbeing is Important*, <https://www.gallup.com/workplace/215924/well-being.aspx>; and Optum, *Five Keys to Building a Culture of Health*, <https://www.optum.com/content/dam/optum3/optum/en/resources/white-papers/COH.pdf>.