

Payrollnews

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New EEOC Rules & Requirements for Wellness Plans

According to the Centers for Disease Control and Prevention, “Productivity losses related to personal and family health problems cost U.S. employers \$226 billion annually.”

In response, employers have worked with health plans to develop wellness programs specifically designed to improve their employees’ health, productivity and decrease health related costs.

At **Data Management Payroll Services**, we make sure our clients save money and stay in compliance. We’ve got the details you need, and a link at the end of the article with the Sample Notice.

Wellness plans can be beneficial to employees in many ways.

Recent Humana study results show that non-participants have 56% more emergency room visits and 37% more hospital visits. Engaged members have six fewer unscheduled absences and a 10% decrease in health claims costs.

Now, the EEOC has released final regulations that will help employers work to align wellness programs with the requirements of the ADA, ERISA, GINA and the ACA, each which prohibit discrimination based on health status and/or information obtained.

The EEOC’s new rules focus on “what information is collected, how it will be used, who will receive it, and what will be done to keep it confidential.”

To help employers meet the new notice requirements, the EEOC issued the **Sample Notice for Employer-Sponsored Wellness Programs**, (approved for verbatim copy) wherein employers must complete specific plan-based information before distribution to employees.

Employers must give the notice to employees participating in a wellness plan that offers incentives as part of the health plan on the first day the plan

begins on or after January 1, 2017.

Employer-sponsored wellness plans must be voluntary. Employees not wishing to participate “may not be discriminated against” nor “subject to retaliation.”

Wellness plans begin with a Health Risk Assessment (HRA), questions related to employees’ health status and history, and activities and behaviors. Next, a bio-metric screening (physical examination and specified-blood tests) for blood pressure, body mass index, blood cholesterol and blood glucose levels is completed.

HRA info and results of bio-metric screenings must be used to provide information regarding current health status and potential risks. They are also used to offer services to employees and encourage sharing the results with their doctor.

If you participate in the required activities and/or achieve certain outcomes, you may be entitled to a financial incentive. Incentives range from cash, merchandise, gift cards or health plan premium cost sharing discounts, maxing out at 30% of the total costs of self-only coverage.

The notice also states that

Get Well Soon Plans?

Why Employees Aren’t Participating

- 41% just don’t have time
- 27% have confidentiality concerns
- 21% doubt program will significantly improve health
- 16% concerned info may negatively affect employment
- 15% think personal info would reduce benefits
- 11% don’t trust employer’s motives

Source: Humana Study on Wellness Plans

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WELLNESS PLAN WEB CLICKS

According to Humana, “Collecting data isn’t enough.” Don’t miss this click to assess your wellness program’s success with these great tips and how to “put your data to work.”

whenwellnessworks.humana.com/wellness-programs/is-your-wellness-program-working-heres-how-to-evaluate/

Check out the positive results of a three-year impact study of 8,015 employees in this Humana article, Three-year Study Shows Engagement in Wellness Program Lowers Health Claims Costs, Improves Work Productivity.

press.humana.com/press-release/current-releases/three-year-study-shows-engagement-wellness-program-lowers-health-claims-costs-improves-work-productivity

Click this link for a great 10-page Infographic & Report filled with results from the three-year Humana study on Wellness Plans.

apps.humana.com/marketing/documents.asp?file=2853084

New EEOC Rules...

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medical information “will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.” Additionally, information will only be provided to a “registered nurse, doctor, or health coach.”

Also important for employers to remember, medical information collected must be kept separate from employees’ personnel records.

For more information, check out the EEOC’s **ADA Wellness Questions & Answers: Sample Notice for Employees Regarding Employer Wellness Programs** at www.eeoc.gov/laws/regulations/qanda-ada-wellness-notice.cfm.

Click here for the EEOC Sample Notice.
www.eeoc.gov/laws/regulations/ada-wellness-notice.cfm.

Let **Data Management Payroll Services** help you stay updated and make sure you never miss a compliance date. Check out our complete list of services... and call us today to find out ways we can help make your payroll and HR processes easier. 

Sources: apps.humana.com/marketing/documents.asp?file=2853084, kff.org/private-insurance/issue-brief/workplace-wellness-programs-characteristics-and-requirements/, www.eeoc.gov/laws/regulations/ada-wellness-notice.cfm, and www.eeoc.gov/laws/regulations/qanda-ada-wellness-notice.cfm.

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