

## **NOTICE REGARDING WELLNESS PROGRAM**

The City of Hendersonville *Taking Shape* is a voluntary wellness program available to all permanent employees working at least 1040 hours per year. The program is administered according to federal rules permitting employer-sponsored wellness programs that seek to improve employee health or prevent disease, including the Americans with Disabilities Act of 1990, the Genetic Information Nondiscrimination Act of 2008, and the Health Insurance Portability and Accountability Act, as applicable, among others.

### **Wellness Program Components**

If you choose to participate in the wellness program, you will be asked to:

- complete a voluntary on-line health risk assessment or "HRA" that asks a series of questions about your health-related activities and behaviors and whether you have or had certain medical conditions (e.g., cancer, diabetes, or heart disease).

Any information provided by you as part of your participation in the above program will be used to provide you with information to help you understand your current health and potential health risks, and may also be used to offer you services through the wellness program. You are encouraged to share your results or concerns with your own doctor.

### **Incentive Program(s)**

You are not required to complete the HRA. However, employees who choose to participate in the wellness program will be eligible for the following incentive(s):

- Quarterly payouts of vacation time.
- 15% discount of the employer's cost of employee medical premium.

Employees who choose not to participate in the wellness program will be subject to the following penalties:

- None

### **Reasonable Accommodations Available**

If you are unable to participate in any of the health-related activities or achieve any of the health outcomes required to earn an incentive, you may be entitled to a reasonable accommodation or an alternative standard. You may request a reasonable accommodation or an alternative standard by contacting Lu Ann Welter at 233-3204.

### **Protections from Disclosure of Medical Information**

We are required by law to maintain the privacy and security of your personally identifiable health information. Although the wellness program and City of Hendersonville may use aggregate information it collects to design a program based on identified health risks in the workplace, City of Hendersonville will never disclose any of your personal information either publicly or to the employer, except as necessary to respond to a request from you for a reasonable accommodation needed to participate in the wellness program, and as expressly permitted by law. Medical information that personally identifies you that is provided in connection with the wellness program will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.

Your health information will not be sold, exchanged, transferred, or otherwise disclosed except to the extent permitted by law to carry out specific activities related to the wellness program, and you will not be asked or required to waive the confidentiality of your health information as a condition of

participating in the wellness program or receiving an incentive. Anyone who receives your information for purposes of providing you services as part of the wellness program will abide by the same confidentiality requirements. The only individual(s) who will receive your personally identifiable health information is (are):

- If Human Resources or Employer's health benefits department will receive information, identify the department name, and what type of information (i.e., aggregate reports, full data set, etc).

In addition, all medical information obtained through the wellness program will be maintained separate from your personnel records; information stored electronically will be encrypted; and no information you provide as part of the wellness program will be used in making any employment decision. Appropriate precautions will be taken to avoid any data breach, and in the event a data breach occurs involving information you provide in connection with the wellness program, we will notify you immediately.

You may not be discriminated against in employment because of the medical information you provide as part of participating in the wellness program, nor may you be subjected to retaliation if you choose not to participate.

If you have questions or concerns regarding this notice, please contact Lu Ann Welter, Human Resources.