



Health Yourself and the Equal Employment Opportunity Commission

New rules published on May 17, 2016, under the Americans with Disabilities Act (ADA) require employers that offer wellness programs that collect employee health information to provide a notice to employees informing them what information will be collected, how it will be used, who will receive it, and what will be done to keep it confidential. The following applies to the City and Borough of Juneau (CBJ) Health Yourself wellness program.

NOTICE REGARDING WELLNESS PROGRAM

Health Yourself is a voluntary wellness program available to all employees. 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. If you choose to participate in the wellness program you will be offered the opportunity to complete a voluntary health risk assessment or "HRA" that asks a series of questions about your health-related activities and behaviors and whether you have or have had certain medical conditions. You will also be offered the opportunity to complete a biometric screening, which will include a blood test for cholesterol and glucose and more thorough tests in full panel years. Participating in any part of Health Yourself is voluntary.

Employees who choose to participate in the wellness program will receive an incentive of \$1300 for completing the "I'm Healthy" screening form, the "I'm Almost There" route, or earning 100 points in the traditional "points" route. You are not required to complete the HRA or participate in the biometric screening; however, these are requirements in some of the reward routes to receive the \$1300 discount on your health insurance premium.

If you choose to use the "I'm healthy route" we ask that your doctor or wellness coordinator verify that your cholesterol, glucose, BMI, blood pressure, and tobacco use fall within certain ranges. The form does not require that your specific results be recorded on it. If you do not want your specific numbers written on this form, you may request so.

If you do not meet one of the biometric thresholds on the screening form but are using a doctor's note to replace this missed threshold in the "I'm Almost There" route, your doctor only needs to confirm that you are both aware of this missed threshold, and have implemented a plan to address and regularly monitor it.

If you do not wish for your wellness coordinator or doctor to verify the biometrics on the “I’m Healthy” screening form, or are unable to meet the biometric requirements, you may instead earn the reward by participating in Health Yourself activities to earn 100 points through the traditional ‘points’ route. These activities do not require you to disclose any medical information to Health Yourself. While this route requires a blood draw to check your cholesterol and glucose- which can be done with your wellness coordinator or another health professional- providing the actual results of this blood test is not required.

Additional incentives of up to \$100 may be available for employees who participate in certain health-related activities, such as challenge participation and HRA completion during the engagement period. For all incentives over \$50 there are reasonable alternative options provided, in which there is not a physical activity requirement.

The information from your biometric screening is private; it will be used to provide you with information to help you understand your current health and potential risks. You also are encouraged to share your results or concerns with your own doctor.

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 CBJ may use aggregate information it collects to design a program based on identified health risks in the workplace, CBJ will never disclose any of your personal information either publicly or to the employer, except as is 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 wellness 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 individuals who will receive your personally identifiable health information are the Wellness Coordinator and City and Borough of Juneau Risk Specialist in order to provide you with services under the wellness program.

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, or about protections against discrimination and retaliation, please contact Dallas Hargrave at Dallas.Hargrave@juneau.org or (907) 586-5250.