

# Notice Concerning Employee Wellness Program

## 2021 Campaign

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.

### NOTICE REGARDING WELLNESS PROGRAM

Hoos Well is a voluntary wellness program available to all active employees and spouses enrolled in the University of Virginia Health Plan (but does not include those retirees who may be working but are on the retiree plan). 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. Employees and spouses who choose to participate in Hoos Well will be eligible to receive up to \$500.00 in total incentives for completion of a variety of health-related activities (as described below).

If you choose to participate in the wellness program you will have 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 had certain medical conditions (e.g., cancer, diabetes, or heart disease). You may also complete an Adult Well Exam, which will include health-related measures, such as a blood test for Total Cholesterol and Glucose screenings. Although you are not required to complete the HRA and/or participate in the Adult Well Exam, active employees and their spouses who do so will receive up to \$200.00. The information from your HRA and the results from your Adult Well Exam are intended to provide you with information to help you understand your current health and potential risks, and may also be used to direct you to resources through Hoos Well and other programs offered by the University. You also are encouraged to share your results or concerns with your own doctor.

Additional incentives of up to \$300.00 are available for active employees and spouses who participate in health-related activities, such as tracking physical activity, or other healthy habits. If you are unable to participate in any of the health-related activities 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 [AskHR@virginia.edu](mailto:AskHR@virginia.edu) or calling the HR Solution Center at 434-243-3344.

Incentives of up to \$500.00 are also available for active employees and spouses who complete educational seminars and webinars and self-directed health education modules. The completion of these activities will not require the disclosure or collection of any health information nor require the participation in any health-related activities.

### 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 the University of Virginia Health Plan may use aggregate information it collects to design a program based on identified health risks in the workplace, Hoos Well 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, or 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) health care providers and other care coordination/disease management program personnel 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 as required by law.

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 Rebecca Gristina HIPAA Privacy Officer; [rjg4m@virginia.edu](mailto:rjg4m@virginia.edu), 434-243-3344.