



Employee Benefits in Focus: Wellness Plans

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The EEOC is finally giving the green light to wellness plans that offer rewards for employee and spousal participation in health exams or health risk assessments. The EEOC's prior positions in enforcement actions under the ADA and GINA left employers with uncertainty regarding how to design compliant wellness plans. The EEOC's 2015 proposals signaled its willingness to align many aspects of ADA and GINA requirements with existing HIPAA/ACA rules. But newly finalized rules released on May 17, 2016 ultimately impose restrictions on permissible wellness plan incentives and add new confidentiality standards and notice requirements, which layer on top of the existing HIPAA/ACA rules.

- Wellness Plans - EEOC Rules Remove Roadblocks But Narrow the Compliance Lanes Ahead