

City of Milwaukee

Notice for Employer-Sponsored Wellness Programs

New rules published on May 17, 2016, under the Americans with Disabilities Act (ADA) require employers that offer wellness programs and collect employee health information to provide a notice to employees informing them what information is collected, how it is used, who will receive it and what is done to keep it confidential.

NOTICE REGARDING THE CITY'S WELLNESS PROGRAM

The City of Milwaukee's comprehensive wellness program "Wellness Your Choice Milwaukee" is a voluntary wellness program available to all employees and spouses and includes the Health Appraisal and the Healthy Rewards program. The program is administered by Froedtert Workforce Health according to federal rules permitting employer-sponsored wellness programs that seek to improve employee health or prevent disease, including (but not limited to) applicable statutes and regulations under the Americans with Disabilities Act of 1990, as amended, the Genetic Information Nondiscrimination Act of 2008 and the Health Insurance Portability and Accountability Act of 1996 (HIPAA). The Health Appraisal includes an interest assessment, lab work, biometric screening and a health education session to review the results and explain the various wellness program resources available for maintaining or improving the member's health. While participation in the Health Appraisal is completely voluntary, members who take the City's health insurance and complete the Health Appraisal will avoid a monthly fee up to \$30 single/\$60 family. Members who test nicotine/cotinine positive are required to attend a 60-minute tobacco cessation class to avoid a monthly fee.

Information from the Health Appraisal is used to educate individuals about their current health status and potential risks. Aggregate participant information may also be used to develop and provide wellness programming services such as nutrition and weight management programs, blood pressure screenings and education, fitness classes, smoking cessation classes, diabetes prevention/management programs and mental health and stress management sessions. Participation in additional programs and services is strictly voluntary.

Members who complete the Health Appraisal are eligible to participate in the Healthy Rewards incentive program. Healthy Rewards is the City's outcomes-based tiered program where participants can earn 3 levels of points through biometrics and other activities to earn a Health Reimbursement Account of \$150, \$250 or \$350. Employees and spouses who complete the Health Appraisal are automatically awarded biometric points based on their lab results. For each category in the optimal range the member earns 10 points. Rechecks are available for four of the five biometric categories at the City's Workplace Clinic and Wellness Center. Biometric

points can also be earned by completing a personal health action plan through the Wellness Portal. Members earn Healthy Rewards points for a variety of educational, preventive, community and physical activities.

Members who are unable to participate in a program/activity or meet an incentive standard under the wellness program may be entitled to a reasonable accommodation or an alternative standard. Participants may request a reasonable accommodation or an alternative standard by contacting the Department of Employee Relations (DER) at derwellness@milwaukee.gov. DER will work with Workforce Health to reasonably accommodate the request and identify an alternative that works for the member.

Protections from Disclosure of Medical Information

The City is required by law to maintain the privacy and security of personally identifiable health information. Although the wellness program and the City of Milwaukee may use aggregate information it collects to design programs responsive to identified health risks, neither Workforce Health nor the Wellness Your Choice Milwaukee Program will ever disclose personal health information publicly or to the City of Milwaukee, except as necessary, to respond to an individual participant's reasonable accommodation request or as expressly permitted by law. Medical information that personally identifies employees in connection with the wellness program will not be provided to supervisors or managers and will never be used to make decisions regarding employment.

Participants' 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. Participants will not be asked or required to waive the confidentiality of health information as a condition of participating in the wellness program or receiving an incentive. Anyone who receives participant information for purposes of providing services as part of the wellness program will abide by the same confidentiality requirements.

Additionally, all medical information obtained through the wellness program will be maintained separately from employee personal records. Information stored electronically by Workforce Health will be encrypted and no information employees provide as part of the wellness program will be used in making any employment decision. Appropriate precautions will be taken to ensure data security and compliance with all HIPAA standards and requirements. In the event of a data breach involving participant information provided in connection with the wellness program, participants will be notified without unreasonable delay. Employees are not discriminated against in employment because of medical information provided as part of participation in the wellness program, nor are employees subject to retaliation if they choose not to participate.

If you have questions or concerns regarding this notice, or about protections against discrimination and retaliation, please contact the City's Compliance Officer at 414-286-6210.