

# Workplace Wellness

Provided by:  
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## Choosing the Right Wellness Program

According to a RAND survey, approximately half of U.S. employers with 50 or more employees sponsor some type of workplace wellness program. As the issues of rising health care costs and increased absenteeism due to health problems grow, wellness programs are an effective method of improving employee health and morale, decreasing health-related costs for employers.

In order to reach improved levels of employee health and a good return on investment (ROI), you need to choose the right wellness program for your company. Success is dependent on both employee engagement and support from all levels of management. To choose the right program, you will need to determine your organization's needs and resources and then match that with the appropriate type of wellness program.

### DETERMINE YOUR NEEDS AND RESOURCES

If your company is considering implementing a wellness program, you will need to consider several factors before deciding what type of wellness program will be most effective for your company and its employees.

#### EMPLOYEE NEEDS AND INTEREST

Assess your workplace to determine your employees' health problems and fitness levels, as well as their interest in different types of wellness programs. Consider using surveys, focus groups and health risk assessments to learn more about the health status and interest areas of your employees. You will need a solid idea of the areas of interest and level of anticipated engagement from your employees to help you decide what type of wellness program is best suited for your workforce.

Areas of focus for a wellness program may include disease prevention, fitness, smoking cessation, alcohol and substance abuse counseling, nutrition education, mental health help, weight loss and stress management. In order to engage employees, your wellness program must fit what they perceive to be a need and must be something that they are willing to participate in. If your employees do not see a benefit, you will have extremely low engagement and participation.

### RESOURCES AND MANAGEMENT SUPPORT

For a wellness program to succeed, leadership on all levels must also buy in to the wellness program idea. To ensure the support of management, inform managers about the program early on and encourage them to participate. Communicate the program's goals and benefits clearly and often.

Gaining upper-level management support will give you easier access to sufficient resources and staff time to develop and implement your wellness program. You also need support from upper management in order to set an example through their participation in the program. The participation of direct managers throughout your organization is also important because they will be able to encourage more engagement among all your employees, increasing the ROI of your program through widespread participation.

### TYPES OF PROGRAMS

Once you have assessed your needs and available resources, you can choose the type of program that best suits your organization. Wellness programs, as mentioned above, can focus on various areas such as physical activity or nutrition, and they can be designed with different levels of time commitment and needed support.

Workplace wellness programs encompass an extremely broad range of activities and initiatives in the workplace, and universally accepted definitions or categories have not yet emerged. However, wellness programs can generally be categorized based on the level of effort and time commitment necessary to make them successful and based on the type of activities included in the program. The following are three general categories of wellness programs:

#### SCREENING EVENTS

The least-involved types of wellness programs are screening activities. These are health risk assessments, which can be self-administered questionnaires or biometric screenings. The goal of these programs is to give employees information on their health status and possibly prompt changes to achieve better health. Biometric screenings can often be set up through your health plan provider, making the screenings one of the least costly and time-consuming programs available.

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## HEALTH EDUCATION AND PROMOTION ACTIVITIES

These wellness programs will require a little more investment in time and financial resources because they may require corporate changes and outside resources. You can consider providing educational sessions and materials for employee groups, or you might provide individual or group counseling sessions for such topics as smoking cessation or alcohol or drug abuse. Other types of wellness promotion programs may include changing policies or procedures around the workplace, such as switching to healthier cafeteria or vending machine offerings, or promoting walking meetings instead of meetings in a conference room. These wellness programs aim to improve employee morale, educate and possibly prompt some behavioral changes.

## PREVENTION AND INTERVENTION MEASURES

Wellness programs that attempt to reach wellness goals and achieve lifestyle changes are the most involved and resource-laden type of program. These wellness programs might include a weight-loss initiative, a walking competition or similar ideas that attempt to influence employee behavior. Typically, these programs require up-front investment by the employer in planning, potentially bringing in outside counselors or resources, providing any necessary equipment (such as pedometers or a scale for weigh-ins) and offering various incentives or rewards for participants as they meet their fitness goals. This type of highly involved program will likely see the best ROI, but it needs a high level of support from management and high employee engagement in order to be successful.

## LEGAL COMPLIANCE

When deciding on and planning your wellness program, you also need to consider how the program is classified for the purpose of legal compliance. Wellness plans must be carefully structured to comply with both state and federal laws. The three main federal laws that impact the design of wellness plans are:

- The Health Insurance Portability and Accountability Act (HIPAA)
- The Americans with Disabilities Act (ADA)
- The Genetic Information Nondiscrimination Act (GINA)

These laws each have their own set of legal rules for acceptable wellness program design, which are not always consistent with one another.

## HIPAA REQUIREMENTS

A workplace wellness program that relates to a group health plan must comply with HIPAA's nondiscrimination rules. HIPAA generally prohibits group health plans from using health factors to discriminate among similarly situated individuals with regard to eligibility, premiums or contributions. However, HIPAA includes a special rule that allows employers to provide incentives or rewards as part of a wellness program, as long as the program follows certain guidelines.

The HIPAA nondiscrimination rules were clarified by the Affordable Care Act (ACA). Under these rules, workplace wellness programs are divided into two general categories: participatory wellness plans and health-contingent wellness plans. This distinction is important because participatory wellness plans are not required to meet the same nondiscrimination standards that apply to health-contingent wellness plans.

Wellness programs that are not part of group health plans (for example, standalone programs that pay health club dues) are not subject to HIPAA's nondiscrimination requirements.

## ADA REQUIREMENTS

The ADA prohibits employers with 15 or more employees from discriminating against individuals with disabilities. As a general rule, to comply with the ADA, covered employers should structure their wellness plans to ensure that qualified individuals with disabilities have equal access to the program's benefits. Employers must provide reasonable accommodations that enable employees with disabilities to fully participate in employee health programs and to earn any rewards or avoid any penalties offered as part of those programs.

Also, under the ADA, an employer may make disability-related inquiries and require medical examinations after employment begins only if they are job-related and consistent with business necessity. However, these inquiries and exams are permitted if they are part of a voluntary wellness program.

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## GINA REQUIREMENTS

GINA prohibits discrimination based on genetic information in health plan coverage (Title I) and employment (Title II). “Genetic information” means information about:

- An individual’s genetic tests;
- The genetic tests of the individual’s family members; and
- The manifestation of a disease or disorder in the individual’s family member (that is, family medical history).

Genetic information also includes an individual’s request for, or receipt of, genetic services (including genetic research, counseling regarding the genetic condition and genetic education). GINA’s restrictions apply to a wellness program when it requests genetic information—for example, family health history.

## GET STARTED

Contact Brady, Chapman, Holland & Associates for resources to help you develop your wellness program.