



December 2017

Notice of Employer-Sponsored Wellness Programs

Mayfield City School District 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. You will also be asked about your tobacco status and to complete a biometric screening, which will include a blood test for cholesterol and glucose, as well as measurements for blood pressure and BMI. You are not required to participate in the blood test, other medical examinations or affirm your tobacco status.

However, employees who choose to participate in the wellness program will receive an incentive of deductible credits for being in the range for the above mentioned biometric targets. You are not required to complete the tobacco affidavit or participate in the biometric screening, however, only employees who do so will receive deductible credits.

If you are unable to participate in any of the health-related activities or achieve any of the health outcomes required 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 Pat Martinson at Gallagher Benefits, (234) 380-4468 or pat_martinson@ajg.com.

The information from your biometric screening results will be used to provide you with information to help you understand your current health and potential risks, and may also be used to offer you services through the wellness program, such as eCoaching provided by the Cleveland Clinic. 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 Mayfield City School District may use aggregate information it collects to design a program based on identified health risks in the workplace, and 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) Medical Mutual, Gallagher Benefits and the Wildcat Health and Wellness Center 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 your HR Department.

The intent of this analysis is to provide general information regarding the provisions of current legislation and regulation. It does not necessarily fully address all your organization's specific issues. It should not be construed as, nor is it intended to provide, legal advice. Your organization's general counsel or an attorney who specializes in this practice area should address questions regarding specific issues.