



Benefits Briefing: EEOC Proposed Rules For Wellness Programs

Tuesday, May 12, 2:00-3:30 p.m. ET

Benefits Briefing Webinar Series

EEOC Proposed Rules for Wellness Programs

The American Benefits Council will host a **Benefits Briefing webinar** on **Tuesday May 12, at 2:00 p.m. Eastern Time** regarding the recently released proposed rules from the U.S. Equal Employment Opportunity Commission (EEOC) that amend ADA regulations and interpretive guidance relating to employer wellness programs.

Kathryn Wilber, *senior counsel, health policy*, will moderate the webinar. She will be joined by:

- **Jim Paretti**, *senior counsel to Commissioner Victoria A. Lipnic, U.S. Equal Employment Opportunity Commission*
- **Seth Perretta**, *principal, Groom Law Group*

We will take questions from webinar participants throughout the session and attempt to answer as many as possible. Members are encouraged to [submit questions for the webinar in advance](#).

A recording of this session will be sent to all registrants. Even if you will not be able to attend in person, please register to receive a digital playback of the webinar automatically.

NOTE: Participation in Council webinars may be used toward continuing education/renewal requirements for many professional accreditation programs, but only by means of self-certification. Descriptions of past programs are available by [clicking here](#). Please retain your registration confirmation for your verification records.

Background:

As we reported in the [April 16 Benefits Byte](#), the U.S. Equal Employment Opportunity Commission (EEOC) released long-awaited [proposed rules](#) regarding employer wellness programs in the wake of recent litigation challenging the legality of certain workplace wellness programs under the Americans with Disabilities Act (ADA) and the Genetic Information Non-Discrimination Act (GINA), as well as related congressional hearings.

The ADA restricts employers from obtaining medical information from employees by generally prohibiting them from making disability-related inquiries or requiring medical examinations. The statute includes an exception, however, for "voluntary" medical examinations or medical histories which are part of an employee health program available to employees, including workplace wellness programs.

The proposed rules provide guidance on when a wellness plan is "voluntary" for purposes of the ADA and the extent to which employers may use incentives to encourage employees to participate in wellness programs that include disability-related inquiries and/or medical examinations.

The deadline for submitting comments on the proposed regulations is June 19, 2015. Along with the proposed rules, the EEOC also issued [a questions-and-answers document](#) and [a fact sheet for small businesses](#).

For questions related to registration – If you have colleagues at your organization who would like to participate in this session, but do not regularly receive Council materials, please contact [Deanna Johnson](#), director, membership, or [Sondra Williams](#), manager, member and staff engagement, at (202) 289-6700.



The American Benefits Council is the national trade association for companies concerned about federal legislation and regulations affecting all aspects of the employee benefits system. The Council's members represent the entire spectrum of the private employee benefits community and either sponsor directly or administer retirement and health plans covering more than 100 million Americans.

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