

# WEBINAR TAKEAWAYS: A HEALTHY DOSE OF WELLNESS



Wellness plans are a popular option for employers looking to reduce healthcare costs.



If your wellness plan is considered a Group Health Plan, most of the laws that apply to your medical plan could also apply to it.

A wellness plan is a Group Health Plan if it provides medical care.

Medical care definitions differ, but generally include:

- Biometric tests
- Cholesterol tests
- Blood sugar tests
- Immunizations
- Disease management programs

These laws may apply:

- ERISA
- COBRA
- ACA
- HIPAA Nondiscrimination
- HIPAA Privacy & Security

Wellness plans that are NOT Group Health Plans have much simpler compliance requirements.

A wellness plan is a NOT a Group Health Plan if it does not provide medical care.

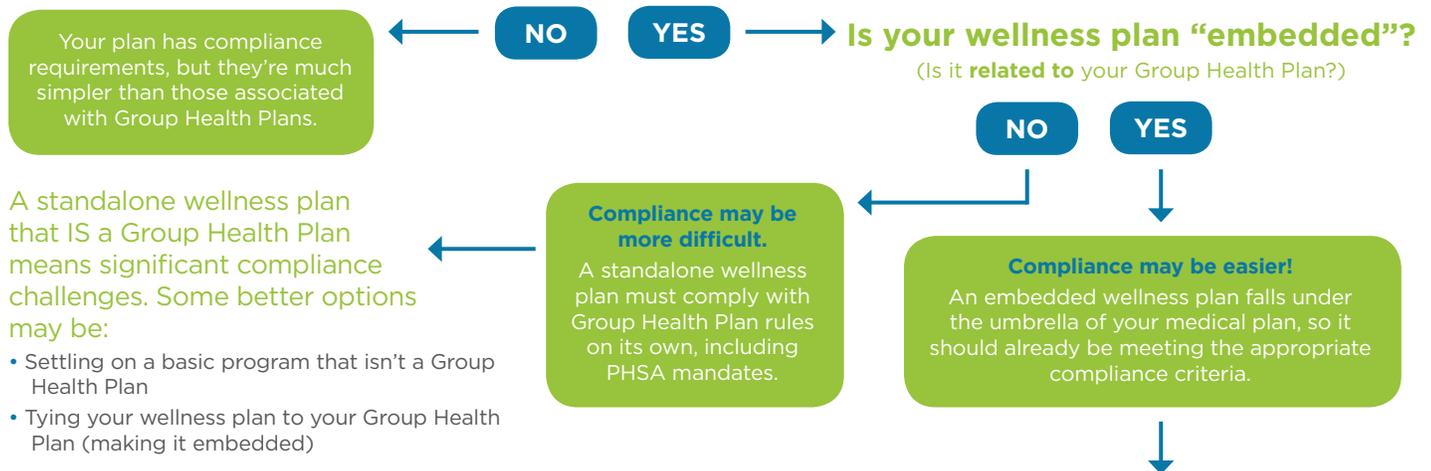
These examples do not include medical care:

- Health or weight-loss club dues
- T-shirts for fitness milestones
- Programs that provide health information only
- Programs offering non-smoking incentives
- Standalone health-risk questionnaire programs that don't provide/pay for health benefits

The plan must not discriminate based on:

- Age (ADEA)
- Race, color, religion, sex, or national origin (Title VII)
- Pregnancy, childbirth, or related medical conditions (PDA)
- Genetic tests or information (GINA)
- Americans with Disabilities Act (ADA)

## Is your wellness plan a Group Health Plan?



**COMPLIANCE RISKS**

- Excise Taxes
- Discrimination Lawsuits
- Tax Penalties

Examples of how you can make your wellness plan embedded:

- Describe the wellness plan in the Medical Plan Document or SPD
- Participation requirements, such as "medical plan members only"
- Incentives earned are used to pay medical plan premium/cost-sharing