

Wellness Programs

Overview

Despite their popularity, wellness programs are drawing increased scrutiny under a variety of federal laws such as the ADA, GINA, Title VII, the ADEA, the EPA, HIPAA, ERISA and the ACA. Depending on the wellness program design, state law may also regulate these programs.

We were one of the first law firms to write and speak about the various legal and practical issues companies must consider when designing and implementing workplace wellness programs. Combining our deep knowledge of a diverse range of laws with our passion for solving business problems, we aim to be a leading legal resource for employers seeking to innovate in health care initiatives. We provide strategic advice to in-house counsel and other internal stakeholders in this rapidly-evolving area of the law, including:

- Presenting to executive teams seeking to introduce these programs to their workforce;
- Counseling clients during the design phase on strategies for maximizing participation in the wellness program(s) and obtaining a return on investment (ROI) while addressing legal compliance and risk management;
- Reviewing and drafting wellness program descriptions, enrollment forms, certifications, waivers and other communications, including ERISA summary plan descriptions where applicable; and
- Advising on employee relations considerations of health management initiatives.

Helpful Links

EEOC

- EEOC announcement of intent to issue proposed regulations regarding ADA, GINA [PDF]
- EEOC GINA Regulations
- EEOC May 8, 2013 Public Meeting on Wellness Programs

DOL

- DOL HIPAA Nondiscrimination Regulations/Wellness FAQs
- DOL Survey: A Review of the Wellness Market [PDF]
- DOL: Wellness Program Checklist – FAB 2008-2

DOL | HHS | IRS

2012 Affordable Care Act Proposed Regulations

- HHS Final Regulation – Health Insurance Market Rules [PDF]
- HHS Proposed Regulation – Health Insurance Market Rules

Practice Lead



Francis P. Alvarez

Principal
New York Metro
White Plains 914-872-6866
Email

[< Back to Disability, Leave and Health
Management](#)

©2022 Jackson Lewis P.C. All rights reserved. Attorney Advertising. Prior results do not guarantee a similar outcome. No client-lawyer relationship has been established by the posting or viewing of information on this website.

*The National Operations Center serves as the firm's central administration hub and houses the firm's Facilities, Finance, Human Resources and Technology departments.