

## **ANNUAL NOTICE REGARDING DUNDEE CENTRAL SCHOOL DISTRICT WELLNESS PROGRAM FOR EMPLOYEES OF DUNDEE CENTRAL SCHOOL DISTRICT**

The Dundee Central School District Wellness Program is a voluntary wellness program available to all employees, spouses and domestic partners enrolled in a Dundee Central School District medical plan. All components of the program are voluntary.

The Dundee Central School District Wellness Program is administered in compliance with federal laws – including the Americans with Disabilities Act (ADA), the Genetic Information Nondiscrimination Act (GINA), the Health Insurance Portability and Accountability Act (HIPAA), and the Affordable Care Act (ACA), among others – which permit employers to sponsor wellness programs that seek to improve employee health or prevent disease. This notice is intended to comply with requirements of those laws, and to explain your legal rights and how your health information will be protected.

The Dundee Central School District Wellness Program offers on-site biometric screenings, which will include your height, weight, body mass index (BMI), waist circumference, heart rate and blood pressure, as well as lipid (total cholesterol, HDL, LDL, triglycerides) and glucose levels. These screenings require a finger prick to obtain a small sample of blood.

The Dundee Central School District Wellness Program may include a Personal Health Assessment (or "PHA"), which asks a series of questions about your household and demographic information, health-related activities and behaviors, personal satisfaction and stress, physical activity levels, nutritional habits, sleep habits, substance use, health goals, and whether you have or had certain medical conditions (e.g., cancer, diabetes, high cholesterol, heart disease, high blood pressure, pulmonary disease, depression or anxiety, low back pain, allergies or stroke).

The information from your PHA and the results from your biometric screening 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 other components of the Dundee Central School District Wellness Program, such as health coaching, Lifestyle Management, and Condition Management, depending on which vendor your employer has elected to Dundee Central School District Wellness Program benefits. Where offered, Lifestyle Management program options may include individual programs for cholesterol management, blood pressure management, or tobacco cessation, and group programs for weight loss, stress reduction, physical activity and healthy lifestyles. The Condition Management program helps employees manage certain chronic health conditions, including asthma, atrial fibrillation, congestive heart failure, chronic obstructive pulmonary disorder, coronary artery disease, diabetes, high blood pressure, high cholesterol, low back pain, or stroke.

For employees and spouses of certain participating employers, you can also request that the biometric screening results be shared directly with your personal physician. You will be notified separately if your employer participates in that aspect of the program, in which case you will be provided with a consent form to request your physician be sent the information. Even if your employer does not participate in that aspect of the program, you are encouraged to share and discuss your results or concerns with your own doctor.

The Dundee Central School District wellness program may offer small gifts or incentives to employees insured by Dundee Central School District, who participate in biometric screenings or other health and wellness enhancing programs, such as gift cards, food service items, small electronics, books, clothing, program subsidies, water bottles, lunch bags, stadium blankets, and gift certificates.

Although participation in biometric screenings or other health and wellness enhancing programs is completely voluntary, and you are not required to complete the PHA, only those employees who do participate will be eligible to receive any incentive. Additionally, dependent children are not eligible to participate in the PHA or biometric screenings.

If you are unable to participate in any of the Dundee Central School District Wellness Program activities, you may be entitled to a reasonable accommodation or an alternative standard. For example, if you are unable to attend one of the on-site biometric screening sessions due to disability or a health condition, you may still be able to earn an available incentive if you have the screenings performed at an authorized laboratory. You may request a reasonable accommodation or an alternative standard by contacting Rick Amundson at 585-777-4080 and/or [amundson@smolaconsulting.com](mailto:amundson@smolaconsulting.com). Recommendations of your personal physician will also be accommodated.

### **Protections from Disclosure of Medical Information**

The information you share in the Dundee Central School District Wellness Program is kept confidential and is protected by several laws, including HIPAA and the Americans with Disabilities Act, as well as the vendors' internal policies. Although the Dundee Central School District Wellness Program may receive and use aggregate information to design a program based on identified health risks in the workplace, the Dundee Central School District Wellness Program and its vendors will never disclose any of your personal information either publicly or to your 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 regarding the Dundee Central School District Wellness Program is only provided to the Wellness Program vendors, such as the biometric screening vendor practitioners, and will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.

The information you share in the Dundee Central School District Wellness Program will be used only to promote your health, and may be forwarded to Excellus BCBS and the other vendors who run the Dundee Central School District Wellness Program and medical plans for purposes of treatment, payment, and health care operations. Specifically, Dundee Central School District Wellness Program is part of the Dundee Central School District medical plan, which means that protected health information can be shared among those plan components for purposes of treatment, payment, and health care operations, without the need for your consent or authorization to use or disclose your health information to carry out these functions. For example, if you receive a biometric screening, your health insurance company may be billed for the cost of the screening, and your results may be used to offer you services under a vendor's Lifestyle Management or Condition Management program. Your employer will never be provided with your protected health information.

Only vendors responsible for administering or providing treatment services under the Dundee Central School District Wellness Program have access to participant protected health information. This may include individuals with medical training such as Physicians, Internists, Lipidologists, Psychiatrists,

Clinical Psychologists, Nurse Practitioners, Registered Nurses, Social Workers, Registered Dietitians, Exercise Specialists/Physiologists, Tobacco Cessation Counselors, and certified Wellness Coaches.

All medical information obtained through the Dundee Central School District Wellness Program will be maintained by the wellness program vendors, and will not be provided to your employer or added to your personnel records. Information that is stored electronically will be secured when at rest and encrypted when in transit, and no information you provide as part of the Dundee Central School District Wellness Program will be used in making any employment decision.

All individuals handling protected health information are trained in HIPAA privacy and security rules and subject to disciplinary action (up to and including termination of employment) if they inappropriately use or disclose your protected health information. 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 within the timeframes required by law and our policies.

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 Dundee Central School District Wellness Program and your medical treatment, and you will not be asked or required to waive the confidentiality of your health information as a condition of participating in the Dundee Central School District Wellness Program or receiving an incentive. Anyone who receives your information for purposes of providing you services as part of the Dundee Central School District Wellness Program will abide by the same confidentiality requirements.

You may not be discriminated against in employment because of the medical information you provide as part of participating in the Dundee Central School District Wellness Program, nor may you be subjected to retaliation if you choose not to participate.

Spouses of employees who participate in the Dundee Central School District on-site biometric screenings must provide signed consent to participate annually.

If you have questions or concerns regarding this notice, or about protections against discrimination and retaliation, please contact Rick Amundson at 585-777-4080 and/or [amundson@smolaconsulting.com](mailto:amundson@smolaconsulting.com).