



The Americans with Disabilities Act (ADA) requires employers offering wellness programs collecting employee health information to provide the following notice to employees informing them what information will be collected, how it will be used, who will receive it, and what will be done to keep it confidential.

NOTICE REGARDING WELLNESS PROGRAM

Healthy Futures is a voluntary wellness program available to all OEGB subscribers enrolled in an OEGB medical plan. 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. If you choose to participate in the wellness program you will be asked to complete a voluntary health risk assessment or "HRA" that asks a series of questions about your health-related activities and behaviors and whether you have or had certain medical conditions (e.g., cancer, diabetes, or heart disease). You are not required to complete the HRA unless you participate in Healthy Futures.

OEGB subscribers who choose to participate in Healthy Futures will receive an incentive of a reduced deductible of \$100 per person (up to \$300 per family depending on plan selection and the number of individuals covered) or reduced copays (if enrolled in Kaiser Plan 1) if they enroll in Healthy Futures and complete an HRA between August 15 and October 15 and complete two healthy activities prior to the next Open Enrollment.

If you are unable to complete the health risk assessment or the healthy activities required to achieve the reduced deductible/copays you may be entitled to a reasonable accommodation or an alternative standard. You may request a reasonable accommodation or an alternative standard by contacting OEGB at 1-888-469-6322 or OEGB.benefits@state.or.us.

The information from your HRA will be used to provide you with information to help you understand your current health and potential risks, and may also be used **with your permission** to offer you services through a health care provider in your health plan, such as care management and health coaching. You also are encouraged to share your results or concerns with your own doctor.

Protections from Disclosure of Medical Information

OEGB's contracted medical carriers are required by law to maintain the privacy and security of your personally identifiable health information. Although OEGB and its medical carriers may use aggregate information to design a program based on identified health risks in the workplace, Healthy Futures 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 individuals who will receive your personally identifiable health information are the Healthy Futures program and, if you ask for the HRA to be forwarded, then your information will be provided to your health care provider 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, OEGB, or its applicable contractors, 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 OEGB at 1-888-469-6322 or

OEGB.benefits@state.or.us.