



An Employer Mandate for Wellness

News

2.01.16

Rich Meneghello was quoted in *HR Online* on February 1, 2016. The article “An Employer Mandate for Wellness” examined a recent ruling in an Equal Employment Opportunity Commission lawsuit that now makes it possible for employers to tie employee participation in wellness programs to the availability of healthcare coverage.

Wellness programs have been shown to help lower insurance costs, which is the reason many employers and insurance carriers have developed such programs in recent years. “Most of my clients have wellness programs that are part of their overall health benefits,” Rich said.

As long as the wellness program is tied to the employer's health benefit plan and is documented and communicated, she said, the court in the Flambeau case held that there was no violation of the ADA's ban on employer-mandated medical examinations.

While this decision is good news for employers, they are wise to exercise caution, said Rich. The concern now centers on final EEOC wellness program regulations that are pending. If the EEOC believes the decision is wrong, it may rewrite its wellness program rules, which may create a “series of hoops for employers who may have more of an administrative burden to maintain or create a compliant wellness program,” Rich said.

To read the full article, please visit [*HR Online*](#).

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