



Attorneys Outline Three Approaches to Wellness Rule Limbo in *SHRM* article

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Wellness regulations that govern an employer's collection of employee data to set rewards and/or impose penalties for health-related behaviors are in limbo. *SHRM* asked attorneys Mathew Parker and Melissa Shimizu how employers should manage compliance of wellness programs as employers await clarification. According to Mathew and Melissa, employers have three options—depending on their risk tolerance—for implementing wellness programs that are subject to the ADA or GINA: Keep any wellness incentive or penalty that is equal to 30 percent of the total cost of employee-only group health plan coverage; significantly reduce the incentive or penalty to an amount that, regardless of an employee's income, could be viewed as small enough for the employee's participation to be considered voluntary; or eliminate any wellness incentive or penalty altogether and wait for further guidance from the EEOC.

To read the full article, visit [*SHRM*](#).

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