

Pitfalls Abound For Employers Trying Wellness Programs

News

8.07.12

Bob Christenson, a partner in the Atlanta office and chair of the firm's Employee Benefits Practice Group, was quoted in the August 7 *Law360* article "Pitfalls Abound For Employers Trying Wellness Programs." The article reported on new tax credits aimed at giving employers incentives to implement employee wellness programs. While wellness programs can benefit employers both by cutting health care costs and producing a healthier workforce, they can also raise a host of compliance issues if they aren't properly implemented. Such programs must be carefully crafted in order to keep from violating the Health Insurance Portability and Accountability Act, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, and other privacy and discrimination laws. Bob said: "There are lots of places to fall into a trap if you don't watch out, especially for employers that are not sophisticated about these issues. The employer's expertise is to make widgets or whatever, not design benefit programs, so they may not be aware of issues and may fall into these traps." He advises most companies, especially smaller ones, to go to the experts to design wellness programs rather than undertake it themselves.

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