

## NOTICE REGARDING WELLNESS PROGRAM

Top Life Wellness is a voluntary wellness program available to benefit eligible employees and covered spouses/partners. 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 (and covered spouse/partner) 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 (and covered spouse/partner) will also be asked to complete a biometric screening, which will include a blood test for high cholesterol and diabetes. You (and covered spouse/partner) are not required to complete the HRA or to participate in the blood test or other examinations.

However, only employees who Pledge to wellness during health plan enrollment will receive an incentive consisting of wellness credits (plan account funding) and reduced premiums. Although you (and covered spouse/partner) are not required to complete the HRA or participate in the biometric screening, only employees who do so and earn required Tier I points by the established deadline will maintain/earn the wellness credits and reduced premiums through October. Employees (and covered spouse/partner) who complete lifestyle/condition management coaching, health challenge, physical activity, financial success series, tobacco cessation, Weight Watchers at Work, or wellness seminar/event or meet certain health outcomes for BMI, blood pressure, cholesterol and glucose and earn required Tier II points by the established deadline will maintain/earn the reduced premiums for remainder of the plan year.

If you (or covered spouse/partner) are unable to participate in any of the health-related activities or achieve any of the health outcomes required to earn an incentive, you may be entitled to a reasonable accommodation or an alternative standard. You may request a reasonable accommodation or an alternative standard by contacting Wade Pinkard, Employee Wellness Manager, at (270) 745-4393 or wade.pinkard@wku.edu.

The information from your HRA 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 the wellness program, such as Health Advising and Lifestyle/Condition Management Coaching. You also are encouraged to share your results or concerns with your own doctor.

### Protections from Disclosure of Medical Information

We are required by law to maintain the privacy and security of your personally identifiable health information. Although the wellness program and Western Kentucky University (WKU) may use aggregate information it collects to design a program based on identified health risks in the workplace, Top Life Wellness 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 a registered nurse, health coach, health advisor or other health professional 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, we 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 Wade Pinkard, Employee Wellness Manager, at (270) 745-4393 or wade.pinkard@wku.edu.