

Participatory Wellness Programs

On June 3, 2013, the Departments of the Treasury, Labor, and Health and Human Services jointly issued final rules regarding proposed amendments to regulations, to be consistent with the Affordable Care Act (ACA), relating to wellness programs in group health coverage. The final rules were first proposed on Nov. 26, 2012.

The final rules replace the current HIPAA wellness program rules and also implement the nondiscrimination provisions made applicable to the individual market by Section 1201 of the ACA.

The wellness program exception to the prohibition on discrimination under the existing rules and the ACA applies to group health plans (and any health insurance coverage offered in connection with such plans), but does not apply to health insurance coverage offered in the individual market. The final rules apply to all grandfathered and non-grandfathered fully insured and self-funded group health plans for plan years beginning on or after Jan. 1, 2014.

As under the current rules, there are two types of wellness programs: participatory and health-contingent.

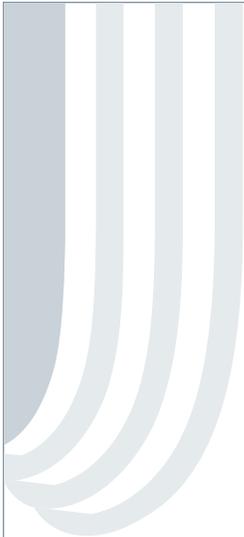
Participatory wellness programs either do not provide a reward or do not include any conditions for obtaining a reward that are based on an individual satisfying a standard related to a health factor. Participatory wellness programs are not subject to five key requirements to which health-contingent programs are.

Examples include:

- ▶ Programs that reimburse employees for all or part of the cost of fitness center testing programs.
- ▶ Diagnostic testing programs that provide a reward for participation and do not base any part of the reward on outcomes.

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UnitedHealthcare is committed to moving toward a modernized care delivery system ensuring that changes in health care are made as effectively as possible for the health of the American people.



For more information

Consult your UnitedHealthcare representative if you have questions about what employers need to know about wellness programs. Or, visit the United for Reform Resource Center at uhc.com/reform and click the wellness programs provision.



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