

## **Notice Regarding Wellness Program**

The Highmark Delaware and Aetna wellness programs are voluntary programs available to all benefit-eligible employees, non-Medicare pensioners and their covered spouses and dependent children. The programs are 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 choose to participate in any of the wellness programs you will be asked 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). There are currently no financial incentives related to your participation in the wellness program.

The information you disclose 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 programs, such as health coaching. You also are encouraged to share your 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 programs and the State of Delaware Group Health Insurance Plan may use aggregate information it collects to design a program based on identified health risks in the workplace, Highmark Delaware or Aetna 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 programs. Anyone who receives your information for purposes of providing you services as part of the wellness programs will abide by the same confidentiality requirements. The only individual(s) who will receive your personally identifiable health information is a health coach in order to provide you with services under the wellness program.

In addition, all medical information obtained through the wellness programs will be maintained separate from your personnel records, information stored electronically will be encrypted, and no information you provide as part of the wellness programs 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 programs, 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 programs, 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 the Statewide Benefits Office at 1-800-489-8933 or at [benefits@delaware.gov](mailto:benefits@delaware.gov).