

The Wellness Regulations of the Affordable Care Act- A Compliance Guide

Tips for creating a wellness program for engaging employees, avoiding discrimination and measuring outcomes to demonstrate impact.

Studies demonstrate that participation in employee wellness programs is often driven by incentives. The fair delivery of these incentives in a nondiscriminatory manner is, in part, what motivated the federal government to establish the Affordable Care Act (ACA) wellness regulations for wellness programs.

All wellness programs must comply with the federal guidelines that are outlined in the ACA's wellness program provisions. The federal government expects wellness administrators to:

- Include the entire workforce, including workers telecommuting from home or those located in satellite/remote offices.
- Monitor the progress of wellness activities such as participating in biometric health screenings, attending classes, health coaching, completing health appraisals and meeting individual health goals.
- Educate employees so that they can seek the necessary follow up treatment and make the appropriate lifestyle modifications.
- Offer reasonable alternatives for employees who do not or cannot meet a designated health standard.
- Track individual results related to each wellness requirement and offer employees additional opportunities to achieve the directed outcomes.

Two Basic Types of Programs

There are two basic types of programs the ACA regulations address:

“Activity Only” programs reward employees who complete health related activities regardless of the specific health outcome. To be compliant, wellness administrators must track the participation of all employees and monitor the completion of employer specified activities. This is also sometimes referred to as a “Participation Based Program”.

“Outcome-Based” programs, in addition to requiring participation, also require participants to attain or maintain specific health outcomes. Wellness programs must track individuals results related to each requirement. They must also offer reasonable alternatives for employees who have a specific condition that precludes them, or it is medically inadvisable for them to achieve the outcome. In this case a reasonable alternative must be offered to allow them to earn the incentive.

Great Access Equals Great Data

To improve access and avoid discrimination, consider offering several approaches for gathering biometric data from program participants.

For example, Advanced Care Wellness (ACW) offers not only on-site biometric health screenings but can also offer home test kits and work with local labs. With their consent, members of certain health plans can conveniently have their most recent test results sent to ACW.

Likewise, ACW offers health risk appraisals in both paper-based and on-line format to allow greater access and coverage. This results in greater data collection and, consequently, a more effective program.

Communication

To engage as many employees as possible, promote the program through a variety of methods. Some ways we have found to be effective include: emails, paycheck stuffers, newsletter, staff meetings, kick-off/launch party, open enrollment, web-portals, posters and home mailings. Everyone should know about the program; when, where and how to access it. In addition, state the confidentiality policies, company policies regarding work time participation and how to qualify for any incentives.

ACW has the experience of working with large, multi-site national companies that operate 24/7 as well as small businesses. We can help you tailor your communication to your population.

Matching Individual Risk Factors with Individual Interventions

In order to help employees meet specific health outcomes, the risk factors revealed during participation in biometric screenings and health risk appraisals should trigger personalized interventions. These interventions are specific to the employees needs and can include classes, health coaching, medical referral and more.

ACW offers robust intervention such as health coaching, disease management programs, custom engagement programs, case management and much more. Depending on your employee health plan, seamless integration is available for a truly comprehensive “closed-loop” system of care.

Conclusion

A wellness program should be a comprehensive and customized solution tailored for your unique needs and those of your staff. It should also be proactive and catch health issues further upstream, rather than reactive. Finally, it should offer continual re-assessments, reporting and tracking to measure impact.

If you have question or would like more information, please contact Advanced Care Wellness.

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