



March 16, 2015

Senator Lamar Alexander
Chairman, Senate Committee on Health, Education, Labor and Pensions
455 Dirksen Senate Office Building
Washington, DC 20510

Dear Chairman Alexander:

On behalf of the National Association of Health Underwriters representing 100,000 licensed agents and brokers who are engaged in the sale and service of health insurance and other ancillary products and serving employers and consumers around the country, we want to commend you on introducing S. 620, the Preserving Employee Wellness Programs Act.

NAHU members work to help millions of employers of all sizes finance administer and utilize their group health benefit plans on a daily basis. Our members know firsthand the importance of group wellness programs for reducing medical care utilization, reducing use of sick time, reducing injuries, and producing a healthier and happier workforce. These in turn result in reduced insurance claims and help to bring down the overall health care costs. With 60 percent of all employers including 80 percent of large employers participating in wellness initiatives, NAHU supports any effort to help all employers offer meaningful programs to improve overall health and reduce costs.

This bill clarifies Section 1201 of the Patient Protection and Affordable Care Act, a bipartisan provision of the law to further encourage employers to offer wellness programs. Unfortunately, this provision has been hampered by confusion over its interpretation related to potential discrimination of employees who are unable to participate in the employer's wellness initiative. Some programs have been challenged for not conforming to federal anti-discrimination protections under the Americans with Disabilities Act and the Genetic Information Nondiscrimination Act. This bill helps to clarify the provision so that it can be implemented as originally intended, by offering employers the ability to make reasonable accommodations for individuals who would like to participate in wellness programs with an alternative. This bill allows employees 180 days to determine an alternative program, allows for spouses of employees to participate, and underscores the protections of employees against discrimination in wellness programs.

NAHU has long been a proponent of group wellness programs and we appreciate your leadership on this important issue for employers and employees alike to be able to participate in wellness programs that will help to both improve overall health and reduce the cost of care. With an ever increasing cost of medical care and health insurance coverage, wellness programs have a demonstrated ability to improve health and save money. Efforts to increase the use of wellness programs and encourage all employees to live a healthy lifestyle will only further these results. We look forward to working with you and your colleagues in enacting this legislation this year.

Sincerely,

A handwritten signature in black ink, which appears to read "Janet Trautwein". The signature is written in a cursive style.

Janet Trautwein
Chief Executive Officer,
National Association of Health Underwriters