

EEOC Issues Proposed Regulations on Wellness Programs and the ADA

April 24, 2015

On April 16, 2015, the U.S. Equal Employment Opportunity Commission (the “**EEOC**”) issued proposed regulations applying Title I of the Americans with Disabilities Act (the “**ADA**”) to employer wellness programs offered through a group health plan. The proposed regulations clarify that, under the ADA, wellness programs that collect employees’ medical information or require them to undergo medical examinations must be reasonably likely to promote health or prevent disease. Moreover, employees may not be forced to participate in the program or be denied coverage if they refuse to participate. In addition, employers will be required to provide employees with a notice describing what medical information will be collected as well as how it will be used and protected. The proposed regulations can be found [here](#). A fact sheet for small businesses can be found [here](#). A question and answer document can be found [here](#).