



Kentucky Employees'
Health Plan



KENTUCKY EMPLOYEES' HEALTH PLAN (KEHP) WELL-BEING PROGRAM NOTICE

LivingWell is the Kentucky Employees' Health Plan or KEHP's voluntary well-being program available to all persons eligible to enroll or waive health insurance coverage through the KEHP. The program is administered according to federal rules permitting employer-sponsored well-being programs that seek to improve employee/retiree (Participant) health or prevent disease. Those federal rules include 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 a Participant chooses to participate in the well-being program, the Participant will be asked to complete a voluntary health assessment or "HA" that asks a series of questions about the Participant's health-related activities and behaviors and whether the Participant has or had certain medical conditions (e.g., cancer, diabetes, or heart disease). In addition to completing an HA, the Participant may also complete a biometric screening, which will include a blood test to check the Participant's cholesterol and blood glucose levels. A Participant is not required to complete the HA or get a biometric screening or any other medical examination. However, a Participant who chooses to complete the HA or get a biometric screening will receive an incentive in the form of discounted premium contributions for their health insurance coverage. Although a Participant is not required to complete the HA or get a biometric screening, only Participants who do so will receive the discounted health insurance premiums.

Additional incentives in the form of merchandise and gift cards are available for Participants who participate in certain well-being activities such as walking/nutrition/sleep challenges, talking to a well-being coach, or quitting smoking. In addition, KEHP offers discounted, monthly employee premium contribution rates to non-tobacco users. Each Participant has at least one opportunity per Plan Year to qualify for the monthly premium contribution discount.

KEHP is committed to helping Participants achieve their best health. Incentives for participating in KEHP's *LivingWell* well-being program are available to all who enroll in or waive KEHP health insurance coverage. If a Participant is unable to participate in any of the well-being activities, or a Participant thinks they might be unable to meet a standard to earn an incentive under the *LivingWell* well-being program, a Participant may request a reasonable accommodation or an alternative standard. Contact StayWell, KEHP's well-being administrator, at 866-746-1316 and a representative will work with the Participant (and, if desired, with the Participant's doctor) to find a well-being program with the same incentive that is right for the Participant in light of the Participant's health status.

Protections from Disclosure of Medical Information: KEHP is required by law to maintain the privacy and security of a Participant's personally identifiable health information. KEHP does not collect or retain personal health or medical information through its *LivingWell* well-being program; however, KEHP may receive and use aggregate information that does not identify any individual in order to design programs based on identified health risks and that are aimed at improving the health of Participants. KEHP will never disclose any Participant's personal information either publicly or to a Participant's employer, except as necessary to respond to a request from a Participant for a reasonable accommodation needed to participate in the well-being program, or as expressly permitted by law. Medical information that personally identifies a Participant that is provided in connection with the well-being program will not be provided to an employee's supervisors or managers and may never be used to make decisions regarding a Participant's employment.

A Participant's 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 well-being program. A Participant will not be asked or required to waive the confidentiality of their health information as a condition of participating in the well-being program or receiving an incentive. Anyone who receives a Participant's information for purposes of providing services as part of the well-being program will abide by the same confidentiality requirements. The only individuals who may receive a Participant's personally identifiable health information are persons employed by StayWell and Anthem, KEHP's third-party medical administrator. This may include nurses in Anthem's disease management program and health coaches in StayWell's health coaching program. Disclosure of a Participant's personally identifiable health information to these persons is necessary in order to provide services under the *LivingWell* well-being program.

In addition, all medical information obtained through the well-being program will be maintained separate from a Participant's personnel records; information stored electronically will be encrypted; and no information a Participant provides as part of the well-being program will be used in making any employment decision. Appropriate precautions will be taken to avoid any data breach. In the event a data breach occurs involving information a Participant provides in connection with the well-being program, we will notify the Participant as soon as it is feasible after discovery of the breach.

A Participant may not be discriminated against in employment because of the medical information a Participant provides as part of participating in the *LivingWell* well-being program, nor may a Participant be subjected to retaliation if they choose not to participate.

If a Participant has questions or concerns regarding this notice, or about protections against discrimination and retaliation, please contact StayWell at 866-746-1316 or the Department of Employee Insurance, Member Services Branch at (888) 581-8834 or (502) 564-6534.