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## ADA Wellness Program Rules: EEOC New Rules

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On May 17, 2016, the Equal Employment Opportunity Commission (EEOC) issued new rules which apply standards under the Americans with Disabilities Act (ADA) to employer-sponsored wellness programs. The EEOC's new ADA wellness program rules apply to all wellness programs that make disability-related inquiries or ask employees to submit to a medical examination, whether offered by or as part of a group health plan or as a stand-alone program. The EEOC revised the ADA regulations to define the term "voluntary" and to explain what will be considered a "health program" for purposes of an employer's ability to provide financial or other incentives in return for employees answering disability-related questions or submitting to a medical examination as part of a wellness program.

**The new rules contain a notice requirement** - notice must be provided for employee wellness programs covered by the ADA rules prior to or on the effective date of the program for programs effective on or after January 1, 2017.

The EEOC's model notice can be found [here](#). The EEOC's Questions and Answers on the model notice, which address the who, what, and when of providing the notice, can be found [here](#).

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