



ADA Notice Regarding Your NDPERS Dakota Wellness Program

This notice is being provided in compliance with the Americans with Disabilities Act (ADA). This notice is informational only and does not require any action on your part.

The NDPERS Dakota Wellness Program is a voluntary wellness program available to employees and their covered spouses enrolled in the NDPERS group health insurance plan. The program is administered according to federal rules permitting employer-sponsored wellness programs that seek to improve employee health or prevent disease, including 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 you choose to participate in the NDPERS Dakota Wellness Program, you will be asked to use the Novu online wellness portal and will be asked to complete a voluntary health risk assessment or "HRA" that asks a series of questions about your health-related activities and behaviors and whether you have or had certain medical conditions. You are not required to complete the HRA, however only members that do so will be able to redeem rewards through the Novu online wellness portal or be eligible for the monthly fitness center reimbursement.

Those who elect to participate in the NDPERS Dakota Wellness Program and choose to complete the HRA on Novu, are eligible to receive an incentive of up to \$250 annually. To earn this incentive, the member and their covered spouse must first complete the HRA on the Novu online wellness portal. Subsequently, the member may accumulate points towards the \$250 annual incentive by: (*option 1*) completing well-being activities on the Novu online wellness portal, (*option 2*) participating in worksite wellness events or (*option 3*) completing the required 12 monthly visits at an eligible fitness center. Points earned through option one (1) and two (2) can be redeemed for gift cards or items on the Novu redemption center. Points earned through option three (3) are reimbursed in cash.

If you are unable to participate in the wellness program you may be entitled to a reasonable accommodation. You may request a reasonable accommodation by contacting NDPERS at (701) 328-3900 or toll free at 1-800-803-7377.

The information from your HRA will be used to provide you with information to help you understand your current health and potential risks, and may also be used to offer you services or access to health tracking tools through Novu. You also are encouraged to share your results or concerns with your doctor.

Protections from Disclosure of Medical Information

We are required by law to maintain the privacy and security of your personally identifiable health information. Although NDPERS may use aggregate information to design a program based on identified health risks in the workplace, the NDPERS Dakota Wellness Program will never disclose any of your personal information either publicly or to the employer, except as necessary to respond to a request from you for a reasonable accommodation needed to participate in the wellness program, or as expressly permitted by law. Medical information that personally identifies you that is provided in connection with the wellness program will not be provided to your supervisors or managers and may never be used to make decisions regarding your employment.

Your 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 wellness program, and you will not be asked or required to waive the confidentiality of your health information as a condition of participating in the wellness

program or receiving an incentive. Anyone who receives your information for purposes of providing you services as part of the wellness program will abide by the same confidentiality requirements. The only individual(s) who may receive your personally identifiable health information are those who have been provided authorization as part of your participation through the Novu wellness portal, such as a health coach.

In addition, all medical information obtained through the wellness program records will be maintained separate from your personnel records, information stored electronically will be encrypted, and no information you provide as part of the wellness program will be used in making any employment decision. Your information is also protected under NDCC 54-52.1-11. Appropriate precautions will be taken to avoid any data breach, and in the event a data breach occurs involving information you provide in connection with the wellness program, we will notify you immediately.

You may not be discriminated against in employment because of the medical information you provide as part of participating in the wellness program, nor may you be subjected to retaliation if you choose not to participate.

If you have questions or concerns regarding this notice, or about protections against discrimination and retaliation, please contact NDPERS at (701) 328-3900 or toll free at 1-800-803-7377.