

# Notice Regarding Wellness Program

Effective Date: September 1, 2024



The Breakers Palm Beach wellness program is a voluntary program available to all employees. 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 wellness program, you may be asked to complete a biometric screening, a Labcorp appointment or a Primary Care Physician wellness screening which may include a blood test for cholesterol, HDL/LDL cholesterol, triglycerides, glucose and A1C, height, weight, waist circumference and blood pressure. You are not required to complete the medical examination, however, employees who choose to participate in the wellness program have an opportunity to earn a wellness incentive. The information from your screening will be used to provide you with information to help you understand your current health and potential risks. You also are encouraged to share your results or concerns with your own doctor.

## Protections from Disclosure of Medical Information

We are required by law to maintain the privacy and security of your personally identifiable health information. The Breakers Palm Beach wellness program may use aggregate information it collects to design a program based on identified health risks in the workplace. **Marquee Health (Health Coaching Vendor) and eHealth Screenings (Biometric Screening/LabCorp Vendor) will never disclose any of your personal information either publicly or to The Breakers Palm Beach, your 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 to **Marquee Health (Health Coaching Vendor) and eHealth Screenings (Biometric Screening/LabCorp Vendor)** in connection with the wellness program will not be provided to The Breakers Palm Beach 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 individuals who will receive your personally identifiable health information are eHealth Screening, Marquee Health, and LabCorp in order to provide you with services under the wellness program.**

In addition, all medical information obtained through the wellness program will be maintained by **Marquee Health (Health Coaching Vendor) and eHealth Screenings (Biometric Screening/LabCorp Vendor)** 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. Appropriate precautions will be taken by **Marquee Health (Health Coaching Vendor) and eHealth Screenings (Biometric Screening/LabCorp Vendor)** to avoid any data breach, and in the event a data breach occurs involving information you provide in connection with the wellness program, they 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 your benefits department at [benefits@thebreakers.com](mailto:benefits@thebreakers.com).