



Lawrence, KS #486

# THE RESOURCE

May 2013



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## Outcome Based Incentives for Wellness presented by Scot Buxton and Brett Buxton

Employers have been offering wellness programs for years with little impact on their actual claims utilization. They are spending a significant amount of money on these programs and are beginning to ask the questions: What am I getting for this investment. Where is the ROI? Many employers want to see improvement in both the health of their employees and positive results in reducing the cost of their healthcare. They are looking for "outcomes". This presentation will show you how to structure outcome based incentive programs that stay with the federal guidelines for compliance.

Most employers would like to move in this outcome direction, however, they have two overwriting concerns, how do I get people to participate and how do I afford an effective plan. This presentation will address both of these critical issues and introduce solutions that are available for organizations to adopt.

At Willis we have been working directly with employers in this area for the past 25+ years regarding their human capital. For years, employers have been faced with double digit trend increases on the medical plans. Employers have been dealing with these increases in two ways: 1) either raising deductibles, co-pays, out of pocket maximums, 2) or by increasing the cost to employees in their share of premium contributions. Both of these options are merely shifting costs to employees. Neither of these strategies have done much to positively affect the increasing trend of health care. Willis is working to help employers engage employees in taking responsibility for their health. If we can positively affect an employee or dependent's health, we can bend the trend of upward spiraling health costs.

Scot Buxton, AAI, currently serves as Senior Vice President of the Employee Benefits Practice for Willis of Greater Kansas Inc. He is a strong advocate for consumer driven health care and employee engagement Willis is currently the 3rd largest insurance brokerage firm in the world. Scot is a graduate of the University of Kansas with a Bachelors of Science degree.

Brett Buxton, Client Advocate, started with Willis in January 2011 with an extensive background in customer service and excellent communications skills. Since then, Brett has gained experience in both client service and production as it relates to employee benefits. Brett is a super user for Willis in the wellness and HR partner products. In the capacity, he brings subject matter expertise to these areas as well as national resource partners. Brett graduated in 2006 from the University of Kansas with majors in History and American Studies, as well as a minor in Communications.

This event has been submitted for recertification credit with HRCI.

### Outcome Based Incentives for Wellness

**TUESDAY, May 14th, 2013** Time: 11:15 a.m. to 1:00 p.m.

Registration & Buffet Lunch begins at 11:15  
Pachamama's Alton Ballroom

800 New Hampshire Street, Lawrence, Kansas 66044

Cost: \$15 if pre-registered by Thursday noon deadline prior to chapter meeting  
\$20 after Thursday noon pre-registration deadline or walk-in at the door.

Register online: [www.jayhawkshrm.org](http://www.jayhawkshrm.org)



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**President's Message**

To keep the body in good health is a duty, otherwise we shall not be able to keep our mind strong and clear. **-Buddha**

According to the WorkWell Lawrence, a micro-grant from Live Well Lawrence grant program, Americans spend at least one-half of their waking hours at their places of work. Health expenditures are estimated to skyrocket to \$4.1 TRILLION dollars by the year 2016. In light of these facts, it's more important than ever for workplaces to encourage healthy lifestyles for their employees.<sup>1</sup>

Returns on workplace wellness programs are difficult to achieve and often even harder to define. At the end of the day, we all want to know one simple thing – is it worth the investment? In order to discover true return, it is critical to be strategic in your approach knowing what you want to accomplish, by when and for whom. Companies that take a strategic approach to their wellness investments will reap return on those investments.

Join us as Scot Buxton and Brett Buxton with Willis of Greater Kansas speak with us about outcome based incentives for wellness. By enlisting this approach, employers can not only see improved health in their employee population, but also, can impact their claims utilization reducing the overall cost of their healthcare.

We look forward to seeing you on Tuesday, May 14<sup>th</sup> at 11:30 at the Pachamama's Alton Ballroom. We hope to see you there!

As always, thanks to each of you for your contributions to advancing the human resources profession in the Lawrence area. Please feel free to call on me or any Board of Directors member if you have any questions or comments.

<sup>1</sup>Source: [www.workwelllawrence.org](http://www.workwelllawrence.org)

Submitted by,

Amy Carr, PHR  
President, Jayhawk Chapter SHRM  
[president@jayhawkshrm.org](mailto:president@jayhawkshrm.org)

**Welcome New Members!**

**ALLISON PUDERBAUGH**  
EMR, Inc.

**STACEY RHOADS, PHR**  
ReZolve Group



## LEGISLATIVE NEWS

### *EEOC Provides Informal Wellness Plan Guidance*

*By: Jason Lacey*

One of the murkier issues with wellness plans is the manner in which they intersect with the Americans with Disabilities Act (ADA). A recent EEOC letter provides an "informal discussion" of how the ADA applies to a particular type of wellness plan.

**The Plan.** The wellness plan at issue waived the deductible under a health plan for participants with serious medical conditions (e.g., diabetes) who enrolled in a disease-management program. Although the wellness program did not expressly require participants to complete a health risk assessment, the EEOC assumed that participants needed to make some disclosure about their health status to their employer to become eligible for the plan, thereby implicating the ADA.

**Voluntariness.** The EEOC reiterated that, because a wellness plan involves an employer inquiry into an employee's medical condition, the wellness plan must be voluntary. A plan is voluntary so long as participation is not required and employees who choose not to participate are not penalized. The plan in this case did not penalize non-participants, but it did provide a reward (waiver of deductible) for participants. The EEOC would not take a position on whether the availability of a reward renders a plan involuntary.

**Reasonable Accommodation.** The EEOC also noted that a wellness plan generally must provide a reasonable accommodation to individuals who are unable to meet the required outcomes or engage in required activities due to a disability. For example, if a plan requires a participant to comply with a recommended exercise routine, an accommodation must be provided if the participant is unable to comply due to a disability. The letter provides no guidance on what would be a reasonable accommodation.

**Failure to Comply.** The EEOC concluded its comments by observing that a participant who fails to meet the conditions of the wellness plan may be removed from the plan, so long as (1) the plan is voluntary, and (2) a reasonable accommodation has been provided for any participant who is unable to comply due to a disability. Although this was a welcome observation, it begs the questions (1) whether or when a plan is voluntary, and (2) whether an accommodation is reasonable - neither of which are answered definitively in the letter.

On the whole, this letter doesn't move the ball much in helping us resolve some of the more critical issues regarding the ADA and wellness plans. More formal guidance continues to be needed. But the letter provides a good reminder of some of the fundamental considerations when looking at a wellness plan's compliance with the ADA.



#### **Legislative Affairs**

Scott Criqui

[legislative@jayhawkshrm.org](mailto:legislative@jayhawkshrm.org)

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## Member Preference Update

If you no longer wish to receive this newsletter, published monthly, then please email [JennyHiatt@lpco.net](mailto:JennyHiatt@lpco.net) and type in the subject line, UNSUBSCRIBE to be removed from this email list.

if you are a current chapter member not receiving this newsletter, we want to make sure to get it in your hands, please email [JennyHiatt@lpco.net](mailto:JennyHiatt@lpco.net) and type in the subject line, SUBSCRIBE to be added to the email list.



## Mark Your Calendars—2013 Upcoming Events

### May 14th Meeting—"Outcome Based Incentives for Wellness"

Co-Presenting by Scott Buxton and Brett Buxton  
Willis of Greater Kansas, Inc.

### June 12th Meeting @ Macelli's, 1031 New Hampshire Street

#### "Health Care Reform & How it will Affect Kansas Citizens and Employers"

Presented by Sandy Praeger  
Kansas Insurance Commissioner

### July 9th Meeting—"Change your conversations..... Change the World"

Presented by Don Gallagher, LLC

### August 13th Meeting—"Developing Compliant Employment Screening Practices"

Presented by Darren Dupriest  
President & Owner Validity Screenint

### September 10th Meeting—To be announced



VP of Professional Development

Debbie Snyder

[professionaldevelopment@jayhawkshrm.org](mailto:professionaldevelopment@jayhawkshrm.org)

Jayhawk Chapter SHRM meetings are held on the second Tuesday of each month with registration and buffet beginning at 11:15 a.m. and the presentation from Noon to 1:00 pm at Pachamama's, 800 New Hampshire, Lawrence, Kansas.

## Financial Report

### Current Assets: 4/30/2013

Checking Account: \$ 9,298.48

#### CD's:

91-Day (5/7/13) \$ 4,129.91

182-Day (3/8/13) \$ 5,114.74

12-months (5/13/13) \$ 8,408.04  
\$17,652.69

Pay Pal Account \$ 682.70

Petty Cash: \$ 100.00

**Total: \$ 27,733.87**



VP of Finance

Mary Seyk

[finance@jayhawkshrm.org](mailto:finance@jayhawkshrm.org)

## What is the **MYSTERY** word?

*Americans spend how much of their waking hours at their places of work?*

If you think you know the answer, please email the mystery word to: [JennyHiatt@lpco.net](mailto:JennyHiatt@lpco.net) with the subject line of Mystery/Magic Word, and you will be entered in the drawing.

The drawing will be held at our May 14th meeting. All entries must be received by 9:00 AM on Monday May 13th.

