

586 365

November 23, 2009

The Honorable Hilda Solis  
Secretary  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

Dear Secretary Solis:

On behalf of Eastman Chemical Company and its 9,000 employees, I am writing you to express my concerns about the interim final regulations implementing Title I of the Genetic Information Nondiscrimination Act of 2008 (GINA) published on October 7, 2009.

Eastman Chemical Company is committed to the health and wellness of our workforce. We offer effective workplace wellness programs that provide our employees opportunities to maintain and improve their health status, mitigate risk factors and support individuals managing chronic conditions. We also know these programs are important to reining in health care costs.

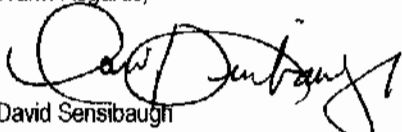
Health risk assessments (HRAs) are a critical tool for employers to implement workplace wellness programs. The HRA is a widely used, evidence-based tool to identify individuals with and at risk of chronic conditions and to ensure they receive appropriate and beneficial wellness, prevention and disease management services. Many employers successfully use incentives, such as rebates, discounts and premium reductions, to increase completion of HRAs and encourage participation in the wellness programs. The GINA regulations would curtail this practice.

Unfortunately, if implemented, the regulations under Title I of GINA will have a negative effect on existing employer-sponsored wellness programs by putting new restrictions on the use of HRAs, family medical history and incentives for participation. As a result, the health of our nation's workforce will suffer if employers face considerable barriers, such as those imposed by the regulations, to promoting healthier lifestyles and behaviors. Employees who could benefit from wellness programs will be overlooked, the prevalence of chronic conditions will rise and employers will experience increased health care costs and productivity losses.

I respectfully request that you fully consider my concerns and carefully evaluate the potential impact these regulations will place on employer-sponsored wellness programs and, more importantly, the health and well-being of individuals who receive support through these important programs.

Thank you for your time and attention on this matter.

Warm Regards,

  
David Sensibaugh  
Director, Eastman Integrated Health

cc: Ezekiel Emanuel, MD, Special Advisor for Health Policy, Office of the Director of Management and Budget, Washington, DC 20503  
Robert Kocher, MD, Special Assistant to the President, National Economic Council, The White House, Washington, DC 20500

RECEIVED  
2009 DEC -1 AM 10:46  
U.S. SECRETARY OF LABOR  
OFFICE OF THE SECRETARY  
WASHINGTON, DC

