United Networks
OF AMERICA

Timothy Geithner, Secretary
U.S. Department of Treasury
1500 Pennsylvania Avenue NW
Washington, DC 20220

Kathleen Sebelius, Secretary
U.S. Department of Health and Human Services
200 Independence Avenue SW, Room 639G
Washington, DC 20201

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

Stuart J. Ishimaru, Acting Chairman
U.S. Equal Employment Opportunity Commission
131 M Street, NE
Washington, DC 20507

To whom it may concern:
As a representative of the Louisiana Discount Drug Card Program, I fully support the goal of the Genetic Information Nondiscrimination Act (GINA) to prevent improper use of genetic information in hiring practices and in the provision and pricing of health insurance. However, elements of the Oct. 7, 2009, GINA interim final rule will create significant barriers to the use of health risk assessments and access to wellness and chronic disease management programs.
In an effort to help employees maintain health status, mitigate risk factors, nearly two out of three employers of all sizes offer an HRA to employees and three out of four of these employers offer incentives for employee participation. In addition to promoting wellness now, the HRA is used to identify individuals with and at risk of chronic conditions. Currently, programs are able to identify "at-risk" individuals and ensure they receive appropriate and beneficial wellness, prevention and disease management services.

However, if the regulations of October 7th are implemented, family medical history will be excluded from the HRA and will limit the ability of patients to identify their risks and seek help in managing chronic conditions. Overall, the effectiveness of workplace wellness programs will be negatively impacted.

The administration championed a healthcare reform based on improved care. Better preventative care and chronic condition management are fundamental to building an improved, less costly healthcare system. Unfortunately, the GINA underwriting provisions directly contradict these goals.

Please encourage the departments of Health and Human Services, Labor and the Treasury to delay implementation and enforcement of the interim final rule and evaluate, through an interagency panel, the rule's potential impact on workplace health promotion programs.

Sincerely,
Chad A. Melancon
Chad Melancon
Louisiana Program Director

cc: Robert Kocher, MD, Special Assistant to the President, National Economic Council, The White House

Ezekiel Emanuel, MD, Special Advisor for Health Policy, Office of the Director, Office of Management and Budget

3636 Sherwood Tower 440 ◆ Baton Rouge, LA 70816 ◆ (225) 292-5595 ◆ (800) 726-4232