December 1, 2009

Office of Health Plan Standards and Compliance Assistance
Employee Benefits Security Administration, Room N-5653
United States Department of Labor
200 Constitution Avenue, NW
Washington D.C. 20210

Attention: RIN 1210-AB27

The Schwan Food Company (Schwan) appreciates the opportunity to respond to the Request for Information on Title I of the Genetic Information Nondiscrimination Act of 2008 (GINA). I write to express our concerns about the potential adverse impact of the final rules on employer-sponsored wellness and disease management programs.

As a major national company, providing affordable health insurance to its employees is important. With over 17,000 employees, the escalating health care costs are a major concern for Schwan. To assist in identifying people with health risks, Schwan contracts with a vendor to administer a voluntary health assessment for its employees. A health assessment can help in identifying people with health risks and offer programs and benefits to reduce those risks. Health assessments provide opportunities for referral to preventive care, disease management programs, health promotion and behavioral change programs. All these programs are critical in slowing the cost of health care because they match the best care that is needed to proactively maintain and improve our employee's health.

Health assessments include questions about family medical history. Without family medical history, key risk information will not be collected. Sometimes the only risk factor that is identified is family history. Without this key information, some employees will be at higher risk of cardiovascular disease, some cancers, diabetes or other major chronic conditions. By identifying these risk factors "upstream", interventions can be recommended to stave off debilitating disease, death, the development of other risk factors and high medical costs.

At Schwan, completion of the health assessment is voluntary. In order to encourage completion, Schwan offers incentives to its employees. It's important to continue to provide this reward to motivate our employees to complete the health assessment.

By implementing the GINA rules, as they are now promulgated, Schwan and its health assessment vendor will be severely limited with its ability to identify employees who could benefit from our voluntary health improvement programs. Without early detection, underlying risks will surface as major chronic conditions and continue to increase the cost of employer paid health care.

Thank you for consideration of these important issues.

Please contact Michelle Warme at 507-537-8310 if you have questions or would like to discuss our concerns in further detail.

Sincerely,

Michelle Warme

Michelle Warme
Sr. Director of Benefits

cc: The Honorable Timothy Geithner, U.S. Department of Treasury
The Honorable Kathleen Sebelius, Secretary, U.S. Department of Health and Human Services
The Honorable Hilda Solis, Secretary, U.S. Department of Labor
Stuart J. Ishimaru, Acting Chairman, U.S. Equal Employment Opportunity Commission
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 Budget

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