



**The
ERISA
Industry
Committee**

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President & CEO

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Senator Lamar Alexander
Chair, US Senate Committee on Health, Education, Labor and Pensions
428 Senate Dirksen Office Building
Washington, DC 20510

Dear Senator Alexander,

On behalf of the ERISA Industry Committee (ERIC), thank you for introducing S. 620, the “Preserving Employee Wellness Programs Act”. ERIC is the only national trade association dedicated exclusively to advocating on behalf of the health and retirement policy issues of concern to the country’s largest employers.

ERIC applauds you for developing and introducing this legislation, as it would provide legal certainty and eliminate confusion caused by the Equal Employment Opportunity Commission (EEOC) for employers offering wellness programs to their employees. This issue is significant for ERIC members as their wellness plans are part of the comprehensive health benefits they provide to millions of active and retired employees and their families. ERIC has a strong interest in proposals that affect its members’ ability to deliver high-quality, cost-effective benefits.

Over time, it has become more and more difficult for ERIC members to continue to deliver these benefits due to spiraling costs. In addition, the expense and administrative complexity of implementing the numerous – and exceedingly complicated – rules of the Affordable Care Act (ACA) have made this task even more challenging. Now large companies with mainstream employer-based wellness programs also face the possibility of threatening legal action from the EEOC, which has created significant roadblocks to even those wellness programs that fully comply with the ACA.

In the face of these new threats, we are especially appreciative of your efforts to eliminate the impediments caused by the EEOC and to ensure that the wellness regulatory environment offers employers the flexibility they need to continue their positive achievements in this regard.

I would also like to commend two members of your HELP Committee staff, Sarah Arbes and Molly Conway, for their excellent work on this legislation and their recognition of the efforts of large employers to provide important wellness benefits.

Sincerely,

Annette Guarisco Fildes
President and CEO