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Client Alert: GINA Undercuts the Utility of Health Risk Assessments

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Wellness initiatives that include health risk assessments (HRAs) will be significantly impacted by the Genetic Information Nondiscrimination Act of 2008 (GINA). Under GINA, family medical history is genetic information. Since the passage of GINA on May 21, 2008, a number of groups have asked the Internal Revenue Service (IRS) and Department of Labor (DOL) to interpret GINA in a way that would permit the continued inclusion of family medical history in HRAs regardless of whether individuals receive financial incentives for completion of the HRAs. The hope for such an interpretation ended when the IRS and DOL recently released an advance copy of interim final GINA regulations that are scheduled to be published on October 7, 2009.

Click on the link below to download the *Client Alert* which discusses GINA.