



**NANCY B. KOENIG** *Manager, Benefits Planning & Administration*

Direct Dial: 856-339-5861 Fax: 856-339-6092

Email: [nancy\\_koenig@mannington.com](mailto:nancy_koenig@mannington.com)

November 17, 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

Mannington Mills, Inc. appreciates the opportunity to respond to the Request for Information on Title I of the Genetic Information Nondiscrimination Act of 2008 (GINA). We would like to express our serious concerns about the adverse impact of the interim final rules on employer-sponsored wellness and disease management programs and to request that you rescind the regulations.

Mannington Mills, Inc. employs over 1,800 associates and 400 retirees at our several manufacturing sites across the country. We have been very successful in improving our associates/retirees and their dependents' health through our wellness initiatives over the years. Our wellness initiatives have also enabled Mannington to control the rising cost of health care. We have been able to *reduce our total gross medical costs per employee by 10% since 2006* by heightening awareness on health and prevention. Our wellness programs are not just for those enrolled in our medical plans, but all employees and their families.

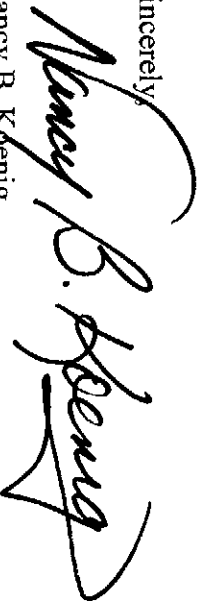
An important part of the overall wellness education process to improve health awareness, is for an individual to know their health risks. Mannington partners with Blue Cross and Blue Shield of Alabama to provide a voluntary, confidential and comprehensive Health Risk Appraisal (**HQ**) for the member to identify health risks and then suggests tools to help reduce their risk levels. Mannington receives no personal information on individuals' results, only aggregate reports to identify overall health risks of the organization so that we may customize wellness programs to address those risks that impact a large group of employees/dependents. The important benefit to the member is that based on the answers in the HQ, the member may be identified as someone at elevated risk. The member is contacted by a professional WellCoach to see if they would like to volunteer in a program to help them lower their health risks and improve their overall health.

As an incentive to drive members to complete the HQ, we deposit money in an individual's Health Reimbursement Account called "Healthy Rewards Account"(HRA) for completing the HQ each year. The HQ also provides opportunities for referral to preventive care, disease management programs, a personal WellCoach program and other behavioral change initiatives. It is essential that we be permitted to continue to use incentives to motivate our associates and family members to complete health assessments to promote wellness, help maintain health and manage chronic disease. **The rules will have serious unintended consequences impairing Mannington's ability to improve members' overall health and quality of life, care coordination, medical outcomes and lower costs.**

The part of the HQ that includes questions about family medical history is also vital for identifying members who may particularly benefit from wellness initiatives and disease management programs. Without family medical history, the member will lose information about a key risk factor, often the only one present that identifies those at higher risk. Without these questions, the law damages members and puts them at greater risk.

Thank you, again, for your consideration of these important issues. Please contact me directly at 856-339-5861 if you have questions or would like to discuss our concerns in further detail.

Sincerely,



Nancy B. Koenig  
Manager, Benefits Planning & Administration

cc: The Honorable Timothy Geithner, Secretary, 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 Koehler, 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  
Frank R. Lautenberg, New Jersey Senator  
Robert Menendez, New Jersey Senator  
Frank A. LoBiondo, New Jersey's Second District Congressman