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9 Best Practices for Return-To-Work Programs. Everyone wins when employers have strong return-to-work programs for employees. That is the philosophy of Frank Radack discussed in a recent article from [Property Casualty 360](#). Radack suggests that when done well, return to work (RTW) programs can significantly benefit both employers and injured employees. Such programs help employers better control the total impact and cost of workers being away from work, and strengthen employee engagement by helping individuals through potentially uncertain times. They also help employees more quickly recover physically and financially. The most effective RTW programs share nine best practices. Read more [HERE](#).

Properly executing a waiver agreement is important. A liability waiver, release or exculpatory agreement is a contract relieving or limiting a party's blame for harm another person may incur, such as bodily injury, as a result of participating in an activity. Your organization can use this type of contract as part of your risk management program. Many nonprofits use a membership waiver for general facility use and may also use additional waivers for certain high-risk or specialty programs such as ropes courses and equestrian programs. Your waiver must be properly constructed, consistent with the legal requirements and precedents in your state, reviewed by legal counsel and properly executed. To be properly executed you must ensure that users are given time to read the form, that the form is legible and clear and that you witness the user's signature. One common error in executing a waiver contract is when utilizing the form for a family or couple. While a parent can sign on behalf of a minor child (check your state's laws on this), one adult cannot sign for another. This often leads to organizations failing to secure both signatures on their waiver form. An example would be that a parent signs-up for a family membership and provides a waiver signature at the time of registration. However, when the other parent or adults in the family are not present organizations must develop a procedure to secure the additional signatures. Waivers can protect your organization and are often required by insurers. It is a good idea to have your waivers reviewed by local legal counsel to ensure they are current. Sample waivers, agreements and contracts are available on in the [Online Resource Library](#).

Fitness training balls, also known as stability and exercise balls, are commonly used at fitness facilities around the country. They are typically rugged and durable, but are not without limits. When not used in a proper manner, and within manufacturer's recommendations, they can burst. The Consumer Product Safety Commission ([CPSC](#)) has, in the past, issued recalls of exercise balls due to reports of various injuries to consumers. The majority of these and continuing injuries are due to improper use rather than equipment defect. Read about [safe use considerations](#) in the [Online Resource Library](#).

Does HIPAA apply to your organization? The Health Insurance Portability and Accountability Act of 1996 (HIPAA) defines policies, procedures and guidelines for maintaining the privacy and security of individually identifiable health information. The HIPAA privacy rule gives individuals a fundamental right to information about the privacy practices of their health plans and of most types of healthcare providers, as well as information about their privacy rights with respect to their personal health information. HIPAA imposes very specific requirements about how health plans and healthcare providers handle the exchange of “protected health information”. The US Department of Health and Human Services oversees the HIPAA privacy rule, and the department has the authority to assess penalties for violations. HIPAA’s privacy rule applies only to “covered entities.” Covered entities are: healthcare providers, health plans and healthcare clearinghouses. Don’t see your organization fitting into one of those categories? How about a program partner, or a new program? HIPAA has not been construed as applying to gyms and fitness facilities, or to personal trainers, massage therapists, nutritionists and other nonmedical wellness professionals. Organizations that offer services like physical therapy, rehab classes, and weight-loss guidance may begin to track or collect personal health information and in most cases are not required to follow HIPAA regulations. However, if information is being transmitted to other entities or if the organization falls into the definition of [health care provider](#) or [business associate](#), that organization may be required to comply. Confused? Check out the [Covered Entity Guidance tool](#) from the US Department of Health and Human Services to learn more.

Did you see this in the last E-news:

It’s time to learn more about sports related concussions. Many program leaders are aware of the occurrence of concussions in sports such as football, soccer and basketball. Recent media and incidents suggest that swimmers may have something to be aware of also. Read more from the [Chicago Tribune](#) and [Swimming World](#). All swimmers should be aware of the risk of concussions while practicing the sport. These injuries can occur through impact with a pool wall or with another swimmer. Synchronized swimmers do have a particularly high rate of occurrence for this injury; however, it is important for all athletes, coaches, and family members to be informed and proactive when it comes to swimming concussions. US Swimming has prepared a [Concussion Information Sheet for Parents & Swimmers](#). Additional information is available from the Centers of Disease Control Prevention at their [Heads Up](#) webpage.

Safety Pays! Annual workplace injuries, illnesses and deaths cost over \$170 billion in the US. That’s money that businesses can save and pain workers can avoid. The Occupational and Health Administration ([OSHA](#)) reports that a good safety and health program can save \$4 to \$6 for every \$1 invested. That’s because injuries and illnesses decline. Workers’ compensation costs go down. Medical costs decrease. There are other, less quantifiable benefits as well - reduced absenteeism, lower turnover, higher productivity and increased morale. There are direct and indirect costs related to all accidents. Direct costs include medical and indemnity payments. Indirect costs include production time lost by the injured employee, fellow workers and supervisors; spoiled product, unhappy customers; cleanup time; schedule delays; training new employees; overhead costs; legal fees and an increase in insurance costs. OSHA has a [computer program](#) that is free of charge to all employers which can assist in determining what your cost of accidents may be.

This Month's Topics:

Return to Work Programs

Use of Waivers

Fitness Balls

HIPPA Regulations

Sports Concussions

Benefits of Employee Safety