



# Basic Employee Relations Course

## Medical Documentation

Medical documentation is usually required for a specific purpose. In most cases, the employee is willing to provide the medical documentation requested. In situations where the employee is initiating a claim for a benefit such as injury compensation or a disability retirement, you will not have any problems obtaining medical information. If you are trying to get medical information that states the employee is able to return to work following a period of time on workers' compensation, it may not be quite as easy. The longer an individual has been off work, can sometimes make the task of getting current and accurate medical information more difficult.

**REMEMBER:** The employee is responsible for providing medical documentation, while the supervisor is responsible for communicating to the employee what medical information is needed so that an informed decision can be made regarding the employee's situation.

It is the ER Specialist's responsibility to advise and assist supervisors with obtaining medical documentation.

So far, the process seems simple enough; however, there can be challenges. The first issue you encounter may be advising the supervisor on what medical information is required before he or she can make an informed decision regarding the medical problem. Or the supervisor may have some medical documentation but it is not sufficient to make a decision and you have the task of assisting the supervisor to again request medical information. Without a request for specific information, the information you are most likely to receive from the health care provider will be along the lines of: "*Please excuse Mr. Jones from work until further notice due to his chronic health condition.*" The note may be signed by a nurse or receptionist on the doctor's letterhead stationery - or even on a prescription form.

### **What information should be included in a letter requesting medical documentation from an employee?**

Always include a straightforward explanation of why the information is needed at this time. Identify who will review the medical information. Provide information for the physician that explains the problem, the key aspects of the job, and what you need to know to make a determination about the employment status of his/her patient. Avoid confusing language. Be direct about what you need to know and why. Attach a copy of the position description – or, even better, an abbreviated statement of the major duties, responsibilities, and physical requirements of the position. Also outline the functional requirements or applicable environmental factors of the job.

If you are preparing a separate letter directly to the physician, what questions would you ask and what information would you provide to the physician?



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Will the recommended accommodation or consideration allow the employee to perform the critical aspects of the job? Request the physician to state the medical basis for the conclusion.

**NOTE:** The physician may not communicate directly with you or the supervisor unless the employee has provided a release. This can be handled 2 ways: 1) a release can be prepared and provided to the employee. The employee will be responsible for taking it to the physician and obtaining the medical documentation. It is strongly suggested that the employee be given a suspense date to obtain the medical information; or 2) request the employee sign a release which will allow you to contact the physician directly.

REMEMBER: Equal Employment Opportunity Commission (EEOC) guidance is that an employer may only seek information about an employee's medical condition when it is "**job related and consistent with business necessity.**"

We are now really getting frustrated because we still do not have any medical documentation. Can we order an employee to take a fitness for duty examination conducted by the agency physician?