

Return to Work - When a medical release to return to work is required, for example, at the conclusion of a medical leave of absence or at the conclusion of an authorized FMLA leave, the employing department should maintain medical information consistent with the intent of this procedure.

Sick Leave Pool (SLP) Hours - The SLP Administrator uses medical information to determine the employee's eligibility to use hours from the Sick Leave Pool. The employing department should not retain any medical information pertaining to the use of sick leave hours from the pool but, rather, should submit all pertinent information to the SLP Administrator in Human Resources.

Workers' Compensation (WC) - The employing department should not maintain medical information pertaining to workers' compensation. All such information should be submitted to the Workers' Compensation Insurance Specialist within the Division of Human Resources. This office retains the medical information in addition to, ensuring that copies of medical information are forwarded to the Division of Risk Management in Tallahassee. The Workers' Compensation Insurance Administrator ensures that submitted medical documentation is not accessible to unauthorized parties. When departments retain copies of Notices of Injury, they should be maintained as consistent with other medical information.

Security: How to Maintain Employee Medical Information

Case law and best practices have identified that medical documentation be secured separately from other records and personnel information.

Only individual(s) who have a need to know about the medical condition to make a decision about Workers' Compensation, reasonable accommodation under ADA, compulsory disability leave, FMLA entitlement, use of hours from the sick leave pool or maintains documents which contain medical information may have access to the documents or materials where they are secured.

Individuals who are not involved in making these decisions are restricted from having access to the file. Create a separate, confidential file for any medical information that is indicated as needing to be maintained.

Discourage employees from providing written details about their medical condition in leave documents beyond the requirements needed to make appropriate decisions.

Do not include a description of the medical condition on timesheets, leave records, or leave request forms or any other method used to request and/or evaluate leave requests. It is sufficient for an employee to simply indicate "ill", "sick", "doctor's appointment", or "medical reasons" on those documents.