

Welcome to the Occupational Medical Services (OMS) Disability Leave (DL) 2021 Update !



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Disability Leave 2021 Update Departmental Risk Coordinator

Occupational Medical Services Unit
February 10, 2021

Facilitators



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Ground Rules



MUTE YOUR MICROPHONE

Cut down on audio interference when you're not talking



CHAT TO STAY ENGAGED

Stay engaged by sharing thoughts in chat box to ensure a productive conversation



SUBMIT QUESTIONS TO Q&A

We will stop to answer questions throughout the session.



ADDITIONAL GUIDANCE

Any unanswered questions will be addressed and posted online

Objectives

At the end of this training, you will be able to:

- Understand the purpose of Disability Leave (DL)
- Identify the key stakeholders in the DL request and review processes
- Understand the roles and responsibilities of the key stakeholders
- Access specific resources available related to DL requests

Agenda



**The Pillars of
DL**



**DL
Eligibility**



**DL
Process**



DL Resources

The Pillars of DL



Important Abbreviations

Abbreviation	Term
APN	Attending Physician Notification
Clinic	County Onsite Medical Clinic
DL	Disability Leave
DRC	Departmental Risk Coordinator
OMS	OHRM Occupational Medical Services Unit

Disability Leave

- **Disability Leave (DL)** provides a full salary benefit that is not charged against an employee's annual or sick leave pursuant to County Personnel Law Section 16-224 and Personnel Procedure 284. This County benefit is provided to an eligible employee who timely reported an injury/illness that was sustained directly in the performance of the employee's work and which caused employee's temporary disability.
- **Justification:** Personnel Law Section 16-224 authorizes a licensed physician retained by the County to medically determine whether a County employee has sustained a work-related injury and to recommend the appropriate duty status based on the employee's current medical symptoms and their respective job responsibilities.
- **Exam Goal:** The goal of the examination is to determine (at the time of the clinic visit) whether the medical condition presented is from a work-related incident/accident or if the condition is non-occupational and to provide a duty status determination.
- Process is managed at the Agency/Department level by the **Departmental Risk Coordinator (DRC)**

DL Basics

Employee Benefits

- Full salary continuation
- No charge to accrued leave banks
- 180 calendar day max unless extended by collective bargaining agreement
- County service continuation
- Insurance coverage continues

Employee Responsibilities

- Provide 24 hour written notice of injury/illness to supervisor
- Notice exceptions for extenuating circumstances only
- Complete Injury/Incident Report
- Attend scheduled DL exams

Clinic Duties

- Conduct appropriate DL exam(s)
- Determine medical causal relationship of current diagnosis
- Determine duty status
- Issue DL Status & Form 2099

Pay During DL

- Employees receive full, taxable wages while on approved DL, up to the amount of DL hours approved, depending on the amount of hours employees actually missed from work on the day(s) DL was granted.
- Employees does not need to have accrued leave in order to recover from a DL-qualifying injury/illness because DL is not charged against an employee's annual or sick leave balances.



DL Eligibility

Covered Employee

A covered employee is a:

- Permanent full-time employee; or
- Permanent part-time employee.
- Includes both classified and exempt employees

Eligible Employee

An eligible employee is:

- Temporarily disabled, as a result of an injury or illness sustained directly in the performance of their work; and
- An employee who timely reported that they believed their injury/illness was work-related to their supervisor in writing within 24 hours of their workplace incident, unless extenuating circumstances exist.

Ineligible Employee Examples

- Hourly
- Seasonal
- Contract
- Limited, Grant Term Funded
- Summer Youth
- Senior Aides

DL Process



Revised DL Process Benefits

OMS has revised its current workflow to effectively manage the DL request, review, and approval processes, which provides the following benefits:

Protects employees' health and medical information

Streamlines DL request and approval processes

Enhances the efficiency of DL review processes

Disability Leave | Employee Responsibilities

The requesting injured employee is responsible for the following tasks related to Disability Leave:

- Submits a written report to their direct supervisor that specific injury/illness is work-related within 24 hours of injury/illness occurrence
- Completes all required injury paperwork as instructed by their DRC
- Attends their scheduled appointment(s) at the County onsite clinic until released to full duty
- Provides clinic with a copy of any medical records that the employee would like to be considered

Please note: An employee has the right to receive dual treatment with another medical provider for workers' compensation purposes but must continue treatment with the Clinic for DL approval purposes

Disability Leave | DRC Responsibilities

The DRC is appointed by the Agency Appointing Authority and is responsible for the following tasks related to DL:

- Verify that the employee sustained an injury/illness in the direct performance of their job duties;
- Verify that the employee reported that they sustained a job-related injury/illness to their supervisor within 24 hours of occurrence, unless extenuating circumstances exist;
 - If the answer to either question is No; Notify employee in writing that they are not eligible for DL and keep a record of all injury-related correspondence.

Disability Leave | DRC Responsibilities

If DL eligibility has been verified, the DRC should:

- 1) Email the completed DL checklist, all required injury paperwork (no medicals), and a completed but unsigned OMS Authorization Form for eligible employees to OMS at disabilityleave@co.pg.md.us.
- 2) Within 1 business day of receiving a signed OMS Authorization Form, email the entire DL Request Packet to the Clinic at pgcleave@concentra.com.
 - Ensure the DL Request Packet includes the employee's injury paperwork, a copy of the employee's current position description, a copy of the signed OMS Authorization Form, and any medicals that have not already been provided to the Clinic.

Disability Leave | DL Authorization Form

The **DL Authorization Form** authorizes the Clinic to medically examine the employee for work-related injury/illness purposes and must include the following information:

- ✓ DRC must complete employee demographic information
- ✓ OMS designee must sign and date form prior to Clinic submission
- ✓ Appointment details should be included and form re-saved prior to employee issuance

PRINCE GEORGE'S COUNTY GOVERNMENT
OHRM
Office of Human Resources Management
Occupational Employee Medical Services

AUTHORIZATION FOR OCCUPATIONAL MEDICAL SERVICES

EMPLOYEE INFORMATION	CONCENTRA ORDERING INFORMATION
Employee Last Name	Prince George's County Government
Employee First Name	1400 McCormick Dr. Largo, MD 20774
County Identification Number	Authorized by (print name) Shalisha Hines Ivy, Esq.
Department Requesting Exam	Title Risk Management Specialist
Classification Title/Position	Service Package: <input checked="" type="checkbox"/> Disability Leave <input type="checkbox"/> FFD/IME Review <input type="checkbox"/> FML Review <input type="checkbox"/> FMLA Review
EMPLOYEE INSTRUCTIONS Upon Clinic arrival, please provide a copy of your photo identification and a copy of any medicals that you would like to be considered during your DL exam. Also, please be advised that examination by the County Clinic is required for DL approval.	COUNTY DESIGNEE AUTHORIZING MEDICAL EXAM AUTHORIZATION X Authorized Signature _____ Date _____
MEDICAL EXAM LOCATION Concentra Urgent Care – Lanham 4451 Parliament Place, Suite F Lanham, MD 20706	PASS/FAIL RESULTS Email results to the appropriate County email box per the service package above
APPOINTMENT DATE: _____	APPOINTMENT TIME: _____

Disability Leave | DRC Responsibilities

- 3) Once contacted by the Clinic with DL appointment options, the DRC should consult with the employee to confirm employee's availability to attend appointment.
- 4) After appointment details are finalized with the Clinic, the DRC should insert them on the signed DL Authorization form and provide a copy to the employee. The DRC should also remind employee of the DL ineligibility consequence if they fail to fully cooperate and attend their DL appointment and recommend that employee take any medicals that they would like to be considered during their DL examination with them to the Clinic.
- 5) Upon receipt of the DL Status Report and Form 2099 from the Clinic, the DRC is responsible for providing the employee with a copy of this report via email. These emails should be saved for appeal purposes.

DL Recordkeeping

- Records and documents related to work place injuries and work-related illnesses created for purposes of an employee seeking DL and/or WC benefits must be maintained in separate files or records from the employee's usual personnel files. Supervisors and managers should not be granted access to these confidential documents. Rather, they should only be given notice of their subordinate's necessary work restrictions.

Disability Leave | OMS Responsibilities

OMS is responsible for the following tasks related to Disability Leave:

- Makes an employee's DL eligibility determination
- Ensures that DL maximums are not exceeded for the injury at hand
- Ensures compliance with all County personnel policies and procedures
- If eligible for DL, OMS will email the signed OMS Authorization Form specifying that a DL Exam be performed to the DRC, within 3 business days of receipt of all required injury paperwork.

Disability Leave | Clinic Responsibilities

The Clinic is responsible for the following tasks related to DL:

- Once all information is received, the Clinic will contact the DRC within 2 business days to schedule employee's appointment.
- The Clinic will make an initial medical causal relationship opinion as to the cause of the employee's current diagnosis, symptoms, and treatment plan, as well as a duty status recommendation.
- Within 1 business day of the completed DL exam, the Clinic will email the DL Status Form to OMS, along with copies to the County's Third-Party administrator, the respective Finance Payroll Analyst, and the respective DRC.

Disability Leave | DL Status & 2099 Report

The **DL Status & 2099 Report** which is issued by the Clinic grants eligible employees with DL and replaces the old Form 2099 that was issued by OHRM.

The Clinic will email copies to OMS, the TPA, and the respective DRC and Finance payroll coordinator.

Form 2099 - Prince George's County Disability Leave (DL) Status Report

Employee Name: _____ Department: _____
Employee ID: _____ Date of Injury: _____

Time in: _____ Time Out: _____ Date of Service: _____
Treating Physician: _____ Next Visit Scheduled: _____

In accordance with provisions of PGC Personnel Procedure 284, Section 9 (as defined by PGC, your disability leave (DL) request has been reviewed and a determination regarding your request for disability leave is indicated below:

Medical Causal Relationship (check one):
 Not Work-Related Medical Issue [PGC Status: Not eligible for Disability Leave]
 Work-Related Medical Issue [PGC Status: Eligible for Disability Leave]

Medical Duty Status and Resulting PGC Outcome (check one):
 No Duty from __/__/__ thru __/__/__. [PGC Outcome - DL approved for scheduled shift every calendar day]
 Modified Duty
 Return to Work with Restrictions to Work **Activities**. Employee is medically restricting from the following activities: _____ [PGC Outcome: DL approved for up to 4 hrs. for doctor and/or physical therapy visits while on work activity restrictions for the following dates: _____]
 Return to Work with Restrictions to Work **Schedule**. Employee is medically capable of working _____ hours per shift. [PGC Outcome: DL approved for remainder of shift while on work schedule restrictions from __/__/__ thru __/__/__].
 Full Duty - No Work Activity or Schedule Restrictions. [PGC Outcome: No additional DL will be granted after __/__/__ as employee has been determined medically capable of working full duty]
 Permanent Medical Restrictions [PGC Outcome: No longer eligible for DL]
 Pending based on required follow-up information (specialist evaluation, diagnostic testing, etc.)

Should you have a question regarding this determination, or the disability leave procedure, please contact your departmental risk coordinator. **Non-union employees** who wish to challenge this determination must file a written complaint/reconsideration request within *five (5) working days of receipt of this memorandum* with OHRM, Deputy Director, pursuant to Personnel Law Section 16-200. In addition, any documents supporting your complaint should be included. If non-union employees disagree with OHRM's response to the written complaint, a written appeal must be filed with the Personnel Board within five (5) working days of receipt of OHRM's response. For further information regarding the appeal procedures, please refer to Section 16-200 of the Personnel Law. An employee represented by a labor organization under the County Labor Code should contact your collective bargaining representative/steward to challenge or otherwise appeal this determination pursuant to their grievance procedure.

DL Appeal Process

- Non-union employees who wish to challenge a DL determination must file a written complaint/reconsideration request within 5 working days of their DL Status and Form 2099 Report receipt to OHRM's Deputy Director, pursuant to Personnel Law, Section 16-200. The request should include any supporting documents. If these employees disagree with OHRM's response to their written complaint, a written appeal must be filed with the Personnel Board within 5 working days of their receipt of OHRM's response.
- Employees covered by CBAs, should refer to the grievance procedures in their respective CBA and/or consult with their labor representative.

Disability Leave | Key Takeaways

DRC completes but does not sign the OMS Authorization Form prior to OMS submission for review

DRC files required injury paperwork but no medical records

Employee attends scheduled DL exams at Clinic for DL purposes

Employee submits all medical documentation directly to Clinic to ensure employee's confidentiality

Clinic determines DL benefits after a medical examination rather than OMS after medical record review

The Clinic emails a DL Status Report in lieu of a Form 2099 to all interested stakeholders

Questions about Disability Leave?

Please add your
questions to the chat
section in Zoom



DL Resources

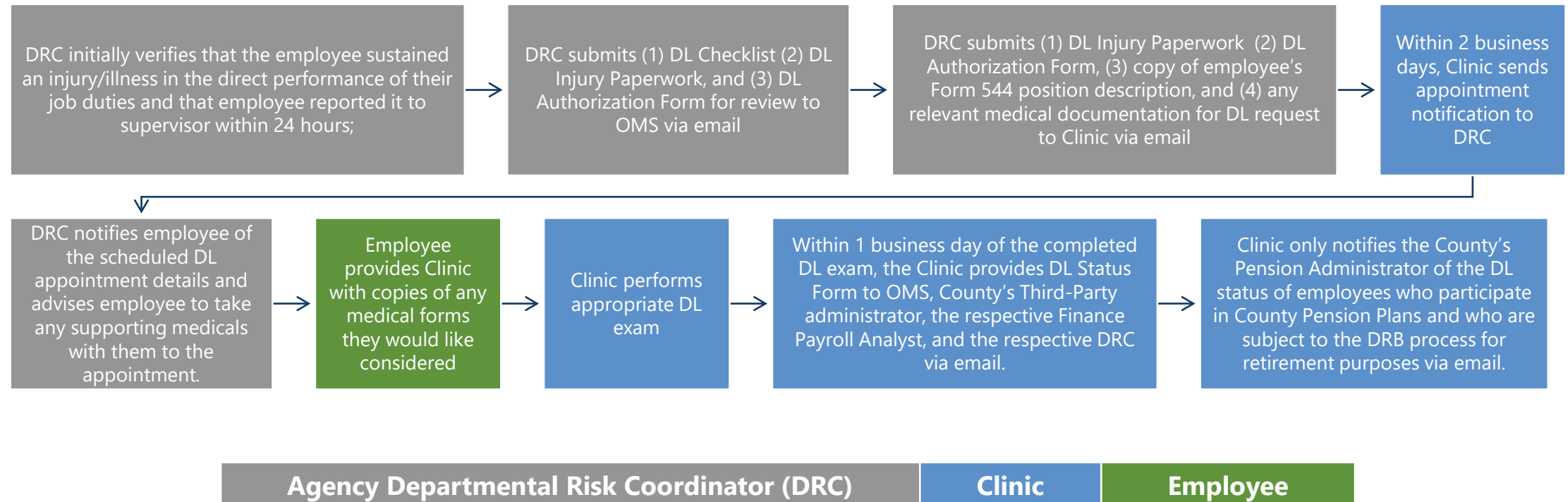


DRC Guidance

- To begin assessing eligibility for DL benefits, you can refer to the procedures provided on our Occupational Medical Services (OMS) website at [Medical-Leave](#) by clicking the DL tab.
- There are responsibilities and time-specific deadlines at each step of the process for both employees and County agencies/departments.

Disability Leave Process At a Glance

The following process is used to request, process, and issue DL for an employee:



County DL vs. MD Workers' Comp

	County – DL	MD State - WC
Governing Law:	County Personnel Law § 16-224 Personnel Procedure 284 § 9	Title 9 of Labor and Employment Article, Annotated Code of Md
Governing Body:	OHRM Director/designee	MD Workers' Compensation Commission
Eligible Employees:	All full and part-time County employees, both classified and exempt	Every employee whose work actions and/or functions are controlled by the County
Injury/illness Types:	Injuries/illnesses sustained directly in the performance of employee's work	Injuries/illnesses that arise out of and/or during the course of employee's employment
Benefits:	A total of 180 calendar days of leave granted, including any recurrences or aggravations, for an approved injury/illness*	Lifetime medical benefits, tax-free wage replacement and disability compensation payments for compensable claims

County DL vs. WC (cont'd)

	County – DL	MD State - WC
Benefit/Claim Initiation:	Submit required injury paperwork to Departmental Risk Coordinator (DRC)	File claim with MD Workers' Compensation Commission
Injury Notice Requirement:	Written notice to employee's supervisor within 24 hours of occurrence unless extenuating circumstances	Claim must be filed with Commission within 2 years of injury
Document Submission:	Employee submits injury/illness paperwork to DRC who forwards it to OMS	Employee submits injury/illness paperwork to County's TPA or Commission
Eligibility Notification:	Clinic issues DL Status Report	Commission issues WC Award or Order
Appeal Process:	File written reconsideration request to OHRM Deputy within 5 days of DL Status Report receipt*	File Circuit Court Appeal within 30 days of WC Award or Order

DL Resources | OMS

The resources below are available on the OMS website to provide guidance on DL:

- [DRC DL Checklist](#)
- [DL Authorization Form](#)
- [DL Process At a Glance](#)
- [DL vs Workers' Comp Chart](#)
- [DL: Questions and Answers](#)

Contact Us

Contact OMS at one of the below-listed emails if you have any questions related to these general OMS processes and/or if you need a status report regarding one of your submitted OMS requests.

Leave Process	OMS Unit Contact Information
Fitness for Duty	DisabilityLeave@co.pg.md.us
Disability Leave	DisabilityLeave@co.pg.md.us
Family and Medical Leave	FMLA@co.pg.md.us

Additional Questions About DL?

Please add your questions to the chat section in Zoom





Thank you for joining us!