



**STANISLAUS COUNTY
PERSONNEL MANUAL
DISABILITY MANAGEMENT PROGRAM**

POLICY STATEMENT

The Workers' Compensation Laws of California require the employer to provide reasonable and necessary medical care and if necessary, rehabilitation assistance to employees disabled as a result of a job-related injury/illness. It is Stanislaus County's policy to comply with all State and Federally mandated laws including, but not limited to, California Workers' Compensation, Americans with Disabilities Act, Family and Medical Leave Act, and other laws applicable to disabilities, current or future. Stanislaus County has established procedures to assist employees in maintaining physically appropriate employment.

OBJECTIVE

The objective of the Disability Management Program is to provide an opportunity for the disabled employee to continue working at a job that is physically appropriate, and ultimately to return to full employment that will accommodate the physical limitations, if any, of the employee.

The Disability Management Program addresses not only work-related injuries, but also those that occur off the job. The program will address both temporary and permanent medical restrictions. The Disability Management Program will be the umbrella for the temporary Modified Return to Work Program as well as Federal and State mandated leave acts. It will be implemented in several stages, with new programs initiated over a period of time.

DEFINITIONS

Accepted Medical Provider:

- Any person (other than a relative of the disabled employee) who is properly licensed and recognized by the law of the state in which treatment is received, and qualified to treat the sickness or injury for which claim is made, and is providing treatment and care that is necessary to resolve the disability whether physical or mental condition. In the case of a work related injury or illness, the physician must be the treating physician of record on the active workers compensation claim file.

Disability:

- Any temporary or permanent medical restriction, which impacts the ability to perform normal job duties.

Disability Manager:

- Program manager responsible for overseeing the Integrated Disability Management Program of the CEO-Risk Management Division.

Disability Management Team:

- The following individuals are responsible for the effective implementation of the Disability Management program; Deputy Executive Officer, Disability Manager, Disability Coordinator, Claims Examiner, Medical Provider, Injury Management Coordinator, and others as deemed appropriate.

Essential Functions:

- The position exists for the specific purpose of performing that function.
- Limited number of employees among whom the performance of that job function can be distributed, e.g. if there is a one-person clerical office, responsibilities could not be redistributed as easily as an office with several clerical positions.
- Function is highly specialized and the person has the expertise or ability to perform that function.

Maximum Medical Improvement:

Medical condition reaches a plateau where it is not expected to get any better or any worse.

Occupational Medical Provider:

- Medical provider who specializes in treating on the job injuries and illnesses.

Permanent and Stationary:

- Medical condition reaches a plateau where it is not expected to get any better or any worse.

Reasonable Accommodations:

- A modification to a job application process that enables a qualified disabled employee to perform the essential functions of the job;
- A modification to the work environment, or to the manner or circumstances under which the position is customarily performed, that enables a qualified disabled employee to perform the essential functions of that position; and/or

- A modification which enables a qualified disabled employee to enjoy the same benefits as non-disabled employees.

Disability Coordinator:

- The Disability Coordinator will work closely with the departmental contact(s) (Injury Management Coordinator, supervisor, or others as deemed necessary) to determine if suitable modified duty is available.

Temporary Modified Duty:

- A program to assist disabled employees in returning to work on a limited basis. The extent of restrictions shall be determined by the treating physician and communicated to the Disability Manager.

PROGRAM ELIGIBILITY

An employee is eligible for the program if an Accepted Medical Provider releases the employee to modified duty.

CONFIDENTIALITY

Confidentiality will be assured for all files handled

RESPONSIBILITY

It shall be the responsibility of all Department Heads, Managers and/or Supervisors to ensure compliance with the various provisions of this policy and process.

It shall be the employee's responsibility to cooperate with this policy. If the affected employee rejects a suitable modified or alternate position, the employee's benefits may be impacted or reduced, e.g.:

- A. Temporary Disability will terminate if the employee rejects suitable temporary alternate or temporary modified work.
- B. Vocational Rehabilitation/Supplemental Job Displacement Benefit benefits may not be available should the employee reject a valid suitable permanent alternate or permanent modified work within 85% of the employee's normal salary.
- C. Retirement benefits could be impacted should the employee refuse to accept a permanent alternate or permanent modified position in his/her current job classification.

ADMINISTRATION

The CEO-Risk Management Division shall administer this program in accordance with the Workers' Compensation Laws of California, in cooperation with the claims service provider, the treating physician, and the departmental Injury Management Coordinators (Imps). The Disability Manager in the CEO-Risk Management Division will be responsible for the day-to-day program management and oversight in the process as outlined below.

1. Communication

- A. Foster communication with the injured worker, adjuster, supervisor, Injury Management Coordinators, treating physician, therapist(s), rehabilitation counselor and others as deemed appropriate.
- B. Conduct periodic meetings with panel physicians to explain County's philosophy and discuss treatment issues.

2. Early Intervention & Reporting

- A. Injury reports are faxed to the CEO-Risk Management Division within 24 hours of the injury. Notification of serious injuries is to be phoned in immediately, if possible, or within one (1) business day.
- B. Claims packet provided to injured employee shall include:
 - 1) All required reporting forms.
 - 2) Medical Provider Network Brochure
 - 3) Disability Management Team members' names and direct phone numbers.
 - 4) Frequently Asked Questions (FAQ).
 - 5) Philosophy statement.
- C. Medical Status report facilitates prompt Return to Work (RTW) by citing County policy that temporary modified duty is available in all departments or divisions.

3. Ongoing Case Review

- A. Database is monitored for all employees not returned to regular duty within 30 days and any employee on total temporary disability after 2 weeks. Database reviewed monthly in team meeting by the Disability Management Unit.
- B. Prompt referral for vocational services as required.
- C. Permanent accommodations will be investigated first within the home department. If accommodations are not possible, the Disability Coordinator will work with the Human Resource unit in the Chief Executive Office to investigate the possibility

of a transfer to an open position with an alternate department. If the employee meets the minimum qualifications and is physically able to perform the essential functions of the job, with or without reasonable accommodations, the transfer will be granted in accordance with Personnel Policies Section 3.08.240 Eligible Lists, A.1. which addresses reemployment lists. This option will be considered once an injured employee is determined to be "permanent and stationary" or has reached "maximum medical improvement", with permanent work restrictions.

- D. Quarterly meetings with County claims adjusters to review active cases assigned to medical management and vocational services.

4. Education

- A. Employee Health and Wellness Series will be developed in conjunction with Workplace Wellness. Various topics will be presented periodically to give employees an opportunity to meet the occupational physicians and other health/safety professionals while learning helpful information about medical recovery issues that may arise during the rehabilitation/return to work process.