


Accommodation medical term

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Request for new or updated medical documentation to demonstrate disability whenever an employer wants to recertify an employer JAN consultants often receive questions from employers about the opportunity to request medical information to determine if they are still needed accommodation. Accommodations may be necessary for temporary or long term periods, as necessary, and also indefinitely, but often the original medical information/accommodation request will not indicate a expected duration. As a result, some employers have the practice of re-certifying the continued need for accommodation, sometimes periodically, but more commonly each year. The practice of accommodation may leave employers open to a certain degree of ADA risk if not done appropriately. The following Q &A addresses some of the questions JAN receives on this topic, and offers a practical guide to the recertification of accommodation and keep in mind the rules of disability inquiry. Can employers require employees to check in regularly or annually on the need for accommodation and request updated/new medical information during the process? Only under limited circumstances. Remember, under ADA, employers cannot ask questions about disability to employees unless these questions meet the standard of being: 128? What? 'When reasonable and sufficient medical documentation establishing an ADA-qualified disability has previously been provided by an employee in order to receive an ADA disability accommodation, an employer will probably not have a work-related reason for requesting updated/new medical information on an annual or periodic basis simply because © the employer wants to do it as a practice. For example, if a n employee who has a long-term or permanent medical disability has been admitted for a certain period and there are no changes © in medical impairment, limitations, need for accommodation, ability to carry out work tasks, or © the ability to host the employer; 128? Then ask questions about the continued need for accommodation, or ask for updated/new medical documentation, will not meet the working relationship and consistent with the standard of business needs. According to the EQUAL Employment Opportunity Commission (EEOC), a medical investigation or medical examination is linked to work and consistent with business needs when: an employer has a reasonable conviction, based on objective evidence, that the ability of an employee to perform essential work functions will be compromised by a medical condition, or an employer has a reasonable belief, based on objective evidence, that an employee represents a direct threat due to a medical condition, or an employee asks for a reasonable and the employee's disability or need for accommodation is not known or obvious, or required in positions that affect public safety, such as police police Firemen. For more information, see question 5 in the EEOC's Enforcement Guideline on Disability Investigations and Medical Examinations of Workers. When can you ask employees to provide up-to-date disability information about their ongoing need for accommodation? There may be individual circumstances when the on-going request for information on housing need can meet the employment relationship and consistent with the company's standard of need, on a case-by-case basis. In order to avoid violating disability investigation standards, employers must be aware of what is already known about employment;226; 128;A:::;A:;{{{{{{}};medical impairment and housing need before undertaking EEOC, employers may not request medical documentation when the disability and the need for reasonable accommodation are known or obvious, or the individual has already provided the employer with sufficient information to prove an ADA disability. When an employer does not have sufficient information regarding the disability, or if there is a significant change that will impact the provision of reasonable housing, it may be appropriate to request information from employees about their continuing need for housing. The following situations are examples of when it may be appropriate to request disability-related information to confirm the current accommodation need: when the initial medical documentation/request for accommodation indicates that the employee's reduction/limitation/request for accommodation will change (e.g. the employee has MS and the medical documentation indicates that symptoms, limitations and/or Accommodation needs may change due to the nature of the medical impairment) When no duration for accommodation need has been provided in the original medical documentation/accommodation request (e.g. the request to change the program does not indicate for how many days, weeks, months, etc.) When the duration of accommodation need has been provided in the original medical documentation and/or Accommodation request, but is about to expire, and it is clearKnown that the employee still needs accommodation (e.g. the employee temporarily accommodated with a modified duty, but the disability is not cured as expected and the individual still has restrictions affecting the performance of work duties) When there is a change in an employer; 226; 128;A::;A medical impairment, limitations, ability to perform work tasks/meet standards, or occupation ÓA ability to accommodate, etc. (e.g. the employee housed on intermittent leave for chronic medical impairment uses substantially more leave than the original medical documentation.) efficacy and the employee indicates the need for a change of accommodation or that there is a change of medical reduction/limitation (for example, when check-in with an employee about the equipment provided due to tevision, the employee observes that his/her vision loss has progressed and that alternative accommodation is needed) Practical Guide: Make smart decisions about asking for the best disability-related information at the right time. Understand what needs to be known to continue providing accommodation. Do you simply need confirmation that the accommodation is still needed for the reason it was originally granted? For example, if the initial request for accommodation does not indicate a duration of the need for accommodation, the employer may ask the employee to get a not a from his or her health care provider confirming the accommodation is still needed and for what duration. The employer might ask if the need for accommodation is long-term, permanent or temporary, and the expected duration. Medical research that goes beyond what is necessary to confirm the continued need for accommodation, or duplicates previously obtained information, may violate the ADA (for example, requesting new information about a dependent diagnosis when the information is already available to the employer). If applicable, can employers simply ask for confirmation that accommodation is still needed, without asking for up-to-date medical information? Yes! Simply put, don'task for information that is not needed. Remember, the ADA does not require employers to request medical information to provide reasonable accommodation. Before asking too much information, consider the impact that the information will (or won't) have on the actual continuation of the accommodation. You can simply ask for confirmation that you still need accommodation without asking for further details regarding the disability. In many situations, a request for information to confirm the need for accommodation will only need to consider whether or not the individual is requesting accommodation because of the medical impairment for which it was originally granted, and for how long. When there is a change in an employer;226; the ability to provide specific accommodation to, is it possible to relaunch the process of interactive accommodation with the employee and request updated medical information? It is logical to re-engage in the interactive process when it is determined that a particular accommodation needs to be discontinued because it is no longer reasonable or constitutes an unjustified inconvenience. Whether up-to-date medical information can be requested or not will depend on the facts of the situation and whether the information is needed to determine, 1) whether housing is still needed, and 2) whether alternative housing will be effective based on employment and impact on work performance/ability to meet standards. Practical guide: if updated medical information will not affect your phases of the housing process, probably it is not necessary. Instead, focus on finding a reasonable alternative accommodation, you know whatexists, employee limitations, etc. The change is linked to the inability of the employer to continue the accommodation. What alternatives, effective accommodation solutions exist? In most situations, you will not need updated medical information, but rather, productive brainstorming will lead to identifying an alternative accommodation solution. How can employers determine whether accommodation is still necessary and effective without asking questions about disability? The interactive accommodation process provides a path for employers to assess the effectiveness and necessity of accommodation in progress by monitoring housing. How important it is to explore, choose and implement accommodation, it is equally important to ensure that accommodation continues to be effective after implementation. Poitche. © changes occur, it may be useful to periodically check the effectiveness of the accommodation. An effective way to monitor accommodation is to encourage open and continuous communication. Employees receiving accommodation should be encouraged to communicate with the employer when there are changes or problems with accommodation, and be informed about who to contact for accommodation assistance. Practical guide: Have a formal interactive accommodation process that includes accommodation monitoring and assigns responsibility for follow-up. There is no standard process for monitoring accommodation, but the process should focus on assessing the effectiveness of accommodation, rather than getting information about the medical impact of the employee. We remember that disability surveys are limited until the relative work and consistent with the standard of business needs has been met. It may be useful to follow a checklist or use a module to guide and document the monitoring process, but it may also be practical to simply have an open dialogue with the employee on the effectiveness of the accommodation. Discussions may include questions such as: Does the accommodation work? Is there anything additional or different needed to support the performance of the tasks, or to meet the standards? Is there any change in your accommodation needs? In some situations, the discussion may lead to a need to request up-to-date information related to disability (for example, the employee indicates a change in disability restrictions), but this will be rare. JAN offers an example module that can be used as a guide during the monitoring of accommodation. The module can be customized to collect relevant information for each unique accommodation situation. For further information, see the JAN sample module for the monitoring of reasonable accommodation. Accommodation.

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