

Montgomery County Government
Office of Human Resources
Occupational Medical Services

Return-to-Work and Return-to-Work-Complex Exams

Policy: Return-to-Work exams, routine and complex, are performed to assist the return of employees to productive work as soon as possible to maximize workforce efficiency and assure the work readiness of the ill or injured employee.

Purpose:

1. To assist all departments in moving ill and or injured employees back to productive work as soon as possible by means of a Return-to-Work [RTW] exam in Occupational Medical Services [OMS] and Fire/Rescue OMS [FROMS]. This includes all non-public safety and public safety personnel.
2. To clarify the procedure for a Return-to-Work Complex [RTW Complex] exam as distinguished from a routine RTW exam.

Authority:

RTW and RTW Complex exams are performed under the authority of Montgomery County Government Personnel Regulations, contractual agreements and employee collective bargaining agreements.

Scope And Application:

This procedure applies to all County employees who present to OMS or FROMS for a RTW or RTW Complex evaluation.

Definitions:

1. **Return-to-Work Routine exam** is the clinical exam and physician review performed for an employee who is returning from a work absence for illness and/ or injury when an employee has been released by his/her treating provider to return to work. This exam may be performed by the employee's treating provider or by the Employee Medical Examiner [EME] for OMS and Fire and Rescue Occupational Medical Services [FROMS]. A routine RTW may be performed following an illness period or a period of restricted duty to assess the employee's readiness for return to duty and at what level. The routine RTW would also be performed following an employee's substance abuse treatment and at any time a supervisor has requested a medical assessment of the employee's ability to perform his/ her job.

RTW Routine includes:

- a. Review of documentation from treating provider and/or other documentation brought to the appointment by the employee
- b. Review of employee's regular job tasks and hazards
- c. Performing an exam of the employee if indicated

Completion of a checklist report certifying if the employee is fit to return to full duty or to return to duty with restrictions. A detailed explanation of the nature and anticipated duration of the restrictions completes the report

2. **Return-to-Work Complex exam** is an in-depth evaluation of an employee who is returning to work following an illness or injury and under the same circumstances as an RTW Routine. All RTW Complex exams are performed by the assigned EME. This exam encompasses a much higher degree of complexity in that it may entail compilation and review of conflicting medical information from a variety of sources. RTW Complex includes everything for an RTW Routine and:
 - a. Extensive archival review of an employee's medical information from multiple sources
 - b. Extensive telephonic consultation with the providers to clarify diagnoses, recommendations, treatments and prognoses
 - c. Testing or a full physical exam of the employee
 - d. Often, consultation with an Independent medical examiner [IME]
 - e. Extensive consultation with departmental managers, union or legal representatives and review of documentation pertaining to Workers Compensation, Disability Retirement Panel, Merit System Protection Board or other governing bodies.
3. **DPM** Disability Program Manager
4. **NCM** Nurse Case Manager

Responsibilities:

1. Employee:
 - a. Follow all applicable County policies related to leave requests and approval.
 - b. Be familiar and abide by all applicable collective bargaining agreements.
 - c. Provide all requested medical information to OMS.
 - d. Actively participate in the exam as requested by the EME.
2. Employee Medical Examiners for OMS and FROMS
 - a. Perform all RTW Complex exams and most RTW Routine exams. Review all medical information provided to OMS by the employee as well as that provided by Workers' Compensation, private providers, consultants, independent consultants and other providers participating in employees' care.
 - b. Discuss with Nurse Case Managers [as Contract Administrator designee] all potential RTW Complex cases to explain reasons case is RTW Complex.
 - c. Complete the health status report of the RTW, with any duty restrictions specified, within one business day of receiving all medical reports. The checklist report must be signed and dated.

3. Contract Staff
 - a. Assure access to scheduling of RTW and RTW Complex exams within 2 business days of the requested appointment time.
 - b. Collect all pertinent documentation from treating providers for entry into the OMS record.
 - c. Assure proper distribution of the Health Status Report documenting the decisions by the EME of the exam, including the employee's medical record.
4. Designated NCM or DPM
 - a. Communicate with staff in various departments regarding requests for RTW as well as concerns, issues and questions regarding the exams. All RTW requests will be assumed to be routine unless there is a request for consideration to be considered complex.
 - b. Discuss with the specific EME if an RTW is requested to be considered complex.
 - c. Render a decision on the request after consultation with Contract Administrator and review of all necessary information.
 - d. Document all requested RTW Complex in the EMR.

Procedure:

1. OMS and FROMS perform RTW exams as requested and appropriate.
2. The employee must bring notation from his/her Primary Care Provider indicating that he/she is cleared to return to work.
3. A RTW may be initiated by the individual's supervisor even in situations where there are no duty restrictions specified.
4. Although the collective bargaining agreement in effect with Police does not require personnel to be cleared for return to work through OMS, a departmental supervisor can direct the returning employee to OMS for evaluation prior to his/her return to work.
5. A RTW appointment must be scheduled in advance.
6. EME is to review all pertinent medical information brought by the employee. The EME will request additional information as necessary. Such a request must include a time frame in which the information should be submitted to avoid unnecessary delays in returning the employee to work. In the event there is a conflicting opinion between the treating provider and the EME or when the determination requires consultation beyond the EME's expertise, the EME may request an IME or consultation from another provider. The final determination is made by the EME.
7. The EME completes the Health Status Report with the determination. The health status report must include clear documentation of any restrictions to the employee's resumption of full duty if indicated. Additionally, the health status report must be dated and signed by the EME.
8. A copy of the health status report is given to the employee to return to his/her Supervisor, one for his/her records and one copy is retained and archived in the employee's medical record in OMS or FROMS. A copy of the health status report is sent to the department's HR Liaison by the NCM within 2-3 business work days.

When applicable:

- a. An employee has been away from work **15 days or more days** (other than child birth) for medical reasons
- b. An employee is returning to work with **restrictions/light duty** including less than full duty work schedules
- c. A department has reason to believe the employee's return to work after being absent for medical reasons is **unsafe**
- d. Any employee who has a CDL with the county and has been out of work for injury or illness requiring a prescription drug is required to report to OMS with the relevant medical information.
- e. RTW notes given to supervisors directly from the employee that meet any of the criteria noted above or indicates long-term medical issues should be sent to OMS

Departments should not request or order an employee to OMS for a RTW evaluation before the employee has received a RTW release notice from their treating healthcare provider.

Note: Work related injuries or illness should follow the same guidelines as above