



## **SOP: Return-to-Work (RTW) Exams**

**Last Revised: November 19, 2024**

**Business Owner: Occupational Medical Services (OMS)**

**SOP Approver: Manager**

### **Overview**

Return-to-Work exams, routine and complex, are performed to assist the return of employees to productive work as soon as possible, maximize workforce efficiency and assure the work readiness of the ill or injured employee. This includes all non-public safety and public safety personnel.

### **Scope**

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

### **Regulatory Requirements, Authority, and Background Information**

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

**MCPR Section 8** – Medical Examinations and Reasonable Accommodation

**MC GEO CBA** - Return to Work Examinations 34.6

**IAFF CBA** – Section 10.5 Work Related Examinations

**FOP CBA** -

### **Procedure**

#### **Definitions:**

1. **Return-to-Work Routine exam** is the clinical exam and physician review performed for an employee 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 the Employee Medical Examiner [EME] for OMS and Fire and Rescue Occupational Medical Services [FROMS]. A routine RTW may be performed following an illness or restricted duty period 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 the 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 returning to work following an illness or injury and under the same circumstances as an RTW Routine. The assigned EME performs all RTW Complex exams. This exam encompasses much higher complexity, which may entail compiling and reviewing conflicting medical information from various 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 (EME) 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 why they are 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 RTW and RTW Complex exam scheduling 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 exam 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. If indicated, the health status report must clearly document any restrictions to the employee's resumption of full duty. The health status report must also 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 must report to OMS with the relevant medical information.
- e. RTW notes given to supervisors directly from the employee that meet any of the criteria stated above or indicates long-term medical issues should be seen in 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.