

Disability Leave (DL) Frequently Asked Questions

IMPORTANT: These FAQs are intended for guidance only and are not meant to be all inclusive. For additional guidance, please refer to Personnel Procedure [284 Section 9](#) and Personnel Law Section [16-224](#).

Overview

1) Why is there a Disability Leave (DL) provision?

When eligible County employees sustain and timely report qualifying work-related injuries/illness, they should be able to be absent from work to attend medical appointments and recover from these injuries/illnesses, regardless of whether they have any accrued leave. This DL provision addresses this issue and also authorizes the County's Onsite Clinic (Clinic) to assist the OHRM Director/designee with these crucial personnel decisions by providing medical guidance regarding causal relationship and duty status recommendations for DL purposes.

2) What is "DL"?

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.

3) Which employees are covered for DL?

Permanent full-time and part-time employees are considered employees for DL purposes. This includes both classified and exempt employees.

4) Are all covered employees eligible for DL?

No. In order to be eligible for DL benefits, a covered employee:

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

For example, if an employee is knocked unconscious due to a qualifying injury, the injured employee would be exempted from the 24-hour notice requirement.

5) Which employees are not eligible for DL?

Ineligible employees include, but are not limited to, Hourly, Seasonal, Contract, Limited Grant Term Funded, Summer Youth, and Senior Aides.

6) How do I do request DL benefits?

- Contact your Departmental Risk Coordinator (DRC) for assistance; **and**
- Timely report to your supervisor in writing that you believe your injury/illness is work-related within 24 hours of your workplace incident unless extenuating circumstances exist; and
- Email your DRC a completed and signed Employee Injury/Incident/Accident Report which indicates how your injury/illness was sustained while performing your specific job duties.

7) Who determines whether or how long I will receive DL benefits?

- 1) Your DRC makes a preliminary DL eligibility determination prior to submitting your request to OMS for review pursuant to Personnel Law and Procedure.
- 2) OMS makes a final DL eligibility determination pursuant to Personnel Law and Procedure, prior to approving your DRC to forward your DL request to the Clinic for medical review.
- 3) The Clinic makes a DL medical causation determination and issues a DL Status and Form 2099 Report which indicates whether DL is approved, and if so, for how long, after physically examining you for DL purposes.

For example: You hurt your knee at work on Tuesday and timely report your injury. You have your FFD exam on Thursday and the Clinic medically determines that your current diagnosis of “end stage osteoarthritis” was not caused by your reported workplace injury.

8) What if I do not want to undergo a DL examination?

For DL purposes, pursuant to Personnel Procedure 284, Section 9, you will not be eligible for DL benefits unless you are medically examined by the Clinic until you are medically released to full duty by the Clinic.

9) Where are DL exams performed?

Unless otherwise notified, DL exams will be performed at the County Onsite Medical Clinic which is located at 4451 Parliament Place, Suite F, Lanham, Maryland, 20706, between the hours of 7 a.m. and 7 p.m., Monday through Friday.

10) How long should the DL review process take?

It depends. In most cases, if an Independent Medical Examination (IME) is not required, the requesting Agency/Department should receive an DL response within 1 business day after the DL exam has been conducted by the Clinic.

11) What is an IME?

An IME is a medical evaluation performed by a professional who is highly trained and skilled in a specialized area of medicine for which the Clinic may be trained but may not be highly skilled. The IME will not be for treatment purposes. Rather, the IME will be used to evaluate the patient's current diagnosis, course of prior treatment, and current condition.

For example, the Clinic may coordinate and schedule an employee with a mental condition to undergo a psychiatric IME in order to properly address this DL request.

12) Are there any costs associated with a DL request?

No. If an There is no cost to the requesting Agency/Department because DL exams are covered under the County's OMS contract.

13) Prior to scheduling an IME, will the Clinic seek authorization?

No. When a DL review is requested, authorization is automatically granted for any medical assessments that are deemed necessary to appropriately address the DL request.