Certification of Health Care Provider for Employee's Serious Health Condition (Family and Medical Leave Act)

Form D

SECTION I: For Completion by the EMPLOYER

The Family and Medical Leave Act (FMLA) provides that an employer may require an employee seeking FMLA protections because of a need for leave due to a serious health condition to submit a medical certification issued by the employee's health care provider. Please complete Section I before giving this form back to the employee requesting FMLA. Your response is voluntary. While you are not required to use this form, you may not ask the employee to provide more information than allowed under the FMLA regulations, 29 C.F.R. §§ 825.306-825.308. Employers must generally maintain records and documents relating to medical certifications, recertifications, or medical histories of employees created for FMLA purposes as confidential medical records in separate files/records from the usual personnel files and in accordance with 29 C.F.R. § 1630.14(c)(1), if the Americans with Disabilities Act applies.

Employer name and contact _____

Employee's job title _____ Regular work schedule _____

Employee's essential job functions _____

_____

☐ Check if job description is attached

SECTION II: For Completion by the EMPLOYEE

Please complete Section II before giving this form to your medical provider. The FMLA permits an employer to require that you submit a timely, complete, and sufficient medical certification to support a request for FMLA leave due to your own serious health condition. If requested by your employer, your response is required to obtain or retain the benefit of FMLA protections. 29 U.S.C. §§ 2613, 2614(c)(3). Failure to provide a complete and sufficient medical certification may result in a denial of your FMLA request. 20 C.F.R. § 825.313. Your employer must give you at least 15 calendar days to return this form. 29 C.F.R. § 825.305(b).

Your name _____ _____ _____

First Middle Last

SECTION III: For Completion by the HEALTH CARE PROVIDER

Your patient has requested leave under the FMLA. Answer, fully and completely, all applicable parts. Several questions seek a response as to the frequency or duration of a condition, treatment, etc. Your answer should be your best estimate based upon your medical knowledge, experience, and examination of the patient. Be as specific as you can; terms such as "lifetime," "unknown," or "indeterminate" may not be sufficient to determine FMLA coverage. Limit your responses to the condition for which the employee is seeking leave. Please be sure to sign the form on the last page.

Provider's name and business address _____

Type of practice or medical specialty _____

Work phone _____ Work fax _____

Date Received by Disability and Leaves: _____

SECTION III: (continued)
PART A: MEDICAL FACTS

(1.) Approximate date condition commenced _____

Probable duration of condition _____

Mark below as applicable:
Was the patient admitted for an overnight stay in a hospital, hospice, or residential medical care facility?
☐ Yes ☐ No If so, dates of admission

_____

Date(s) you treated the patient for the condition

_____

Will the patient need to have treatment visits at least twice per year due to the condition? ☐ Yes ☐ No

Was medication, other than over-the-counter medication, prescribed? ☐ Yes ☐ No

Was the patient referred to other health care provider(s) for evaluation or treatment (e.g., physical therapist)?
☐ Yes ☐ No If so, state the nature of such treatments and expected duration of treatment

_____

(2.) Is the medical condition pregnancy? ☐ Yes ☐ No If so, expected delivery date _____

(3.) Use the information provided by the employer in Section I to answer this question. If the employer fails to provide a list of the employee's essential functions or a job description, answer these questions based upon the employee's own description of his or her job functions.

Is the employee unable to perform any of his or her job functions due to the condition? ☐ Yes ☐ No

If so, identify the job functions the employee is unable to perform

_____

(4.) Describe other relevant medical facts, if any, related to the condition for which the employee seeks leave (such medical facts may include symptoms, diagnosis, or any regimen of continuing treatment, such as the use of specialized equipment)

_____

_____

_____

_____

_____

_____

_____

SECTION III: (continued)

PART B: AMOUNT OF LEAVE NEEDED

(5.) Will the employee be incapacitated for a single continuous period of time due to his or her medical condition, including any time for treatment and recovery? ☐ Yes ☐ No

If so, estimate the beginning and ending dates for the period of incapacity _____

(6.) Will the employee need to attend follow-up treatment appointments or work part-time or on a reduced schedule because of the employee's medical condition? ☐ Yes ☐ No

If so, are the treatments or the reduced number of hours of work medically necessary?
☐ Yes ☐ No

Estimate treatment schedule, if any, including the dates of any scheduled appointments and the time required for each appointment, including any recovery period

_____

Estimate the part-time or reduced work schedule the employee needs, if any

_____ hour(s) per day _____ days per week from _____ through

(7.) Will the condition cause episodic flare-ups periodically preventing the employee from performing his or her job functions? ☐ Yes ☐ No

Is it medically necessary for the employee to be absent from work during the flare-ups?
☐ Yes ☐ No If so, explain

_____

_____

Based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups and the duration of related incapacity that the patient may have over the next 6 months (e.g., 1 episode every 3 months lasting 1-2 days)

Frequency times per _____ week(s) _____ month(s)

Duration _____ hours or _____ day(s) per episode

ADDITIONAL INFORMATION: IDENTIFY QUESTION NUMBER WITH YOUR ADDITIONAL ANSWER

_____

_____

_____

_____

_____

_____

ADDITIONAL INFORMATION (continued)

Signature of Health Care Provider

Date