



MEDICAL PROVIDER SUPPORT FOR WORKPLACE REASONABLE ACCOMMODATION REQUESTS

WHAT IS A REASONABLE ACCOMMODATION?

Under the Americans with Disabilities Act and New York State law, individuals with disabilities are entitled to reasonable accommodations, which are changes to the way tasks are typically done that will enable them to do their jobs. Examples of reasonable accommodations include use of a stool at work, a modified schedule, reassignment of certain job tasks to other employees, use of assistive technology, the provision of an interpreter, changes to supervisory methods, reassignment to a desk position, time off for doctors' appointments, additional leave, and reassignment.

Requests for reasonable accommodations often must be accompanied by a letter from a medical provider explaining why the person with a disability needs an accommodation.

WHAT SHOULD A NOTE SUPPORTING A REQUEST FOR A REASONABLE ACCOMMODATION INCLUDE?

- A short introduction of yourself, your expertise, and how long you have been treating your patient.
- Your patient has a disability that would, if untreated, substantially limit one or more major life activities. "Substantially limit" means, for example, that the activities may be more difficult, uncomfortable or time consuming. It often helps to specify your patient's diagnosis, although it is not required.
- Your patient's disability causes certain symptoms, which you should describe.
- If appropriate, discuss your patient's functional limitations in the absence of treatment.

- If the condition is in remission, describe the patient's limitations when the disability is active.
- Explain that your patient needs a specified reasonable accommodation to mitigate those symptoms, and why. If the client needs an accommodation for a particular job function, explain how the client's symptoms would be alleviated with the accommodations. If there is more than one possible accommodation, suggest all that may work.
- It may be helpful, or necessary, to include medical documentation; however, it is unnecessary and generally unwise to disclose a patient's entire medical record. If you do include a detailed synopsis of a patient's medical history, we recommend that you highlight the portions of the record relevant to your patient's request, so that it is easy to find. Employers are often confused by information extraneous to the condition at issue.

A helpful doctor's letter might read:

I have treated Dwayne Robinson for a neurological condition for the last five years. When learning a task for the first time, he struggles to understand detailed verbal instructions. He will often require the reasonable accommodation of written instructions in order to understand how to perform a task he has not previously accomplished.

Jane Smith has been my patient for five years. She takes medication for a psychiatric disability that causes insomnia and grogginess in the morning, which will often make it impossible for her to arrive by 9 AM. She needs a modified work schedule that will allow her to work from 10 AM to 6 PM rather than from 9 AM to 5 PM.

I have been providing Victor Perez with physical therapy since his car accident four months ago. He will be able to return to work in two weeks and will be able to perform all duties of his position with the exception of carrying weight over 25 pounds. He will require the use of a wheeled cart to perform his duties.

Other helpful tips for effective notes:

- Many employers have specific forms for reasonable accommodations. It helps your patients and their employers if you use the designated form.
- Be as specific as possible.
- Typed letters are easier for employers to read than notes written on a prescription pad, which often have insufficient information.
- Unless a person is specifically asking for time off as a reasonable accommodation, reasonable accommodation requests should not say that a person is unable to work.

- Employers do not have to grant indefinite leave to an employee as a reasonable accommodation. When possible, include an estimate of when a patient will be able to return to work.
- Many employers do not have a light duty policy or light duty positions. Check with your patient to make sure light duty exists at her workplace, before recommending light duty.

HOW DO APPLICATIONS FOR DISABILITY-RELATED BENEFITS DIFFER FROM REQUESTS FOR A REASONABLE ACCOMMODATION?

There are various other reasons why a person may ask a doctor for a letter for his or her employer, such as seeking Family and Medical Leave Act (FMLA) leave, Social Security Disability benefits, Workers Compensation, disability insurance benefits, and disability retirement benefits.

Most disability-related benefit programs base eligibility upon your patient's inability to continue working. As such, unlike for a reasonable accommodation request, the focus of your supporting letter will be on why your patient is partly or completely unable to work. Please be mindful that different entities may use different definitions of "disability."

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