

## Health Care Provider Communication

This guideline is used when an agency needs to communicate with a health care provider regarding the employee's protected medical or family leave of absence. The employee must provide complete and sufficient medical certification. At the time medical certification is requested, King County will advise the employee of the consequences of failing to provide adequate certification.

If the employee submits a medical certification that is incomplete (e.g., entries left blank), insufficient (e.g., vague, ambiguous or non-responsive), needs clarification (e.g., understand handwriting or meaning), or authentication (e.g., verification that provider authorized certification). King County will:

- **Advise** the employee in writing what additional information is necessary to make the certification complete and sufficient, and;
- **Provide** the employee seven (7) calendar days to cure the deficiency (provide documentation).

King County cannot ask for information that is in addition to that which is required by the medical certification form and must comply with all HIPAA privacy rules. This means that the employer is limited to asking questions for incomplete, insufficient or unclear medical certifications. The requested leave may be denied until the employee provides a complete and sufficient medical certification.

It is the policy of King County that only designated agency personnel (typically an HR professional) may communicate with the employee's health care provider for purposes of clarification or authentication of the medical certification. The employee's direct supervisor may never communicate with the employee's healthcare provider. Disability Services staff may contact health care provider as part of the accommodation process.

If the employee is simultaneously using protected leave and on a workers' compensation claim, workers' compensation guidelines enable the employer to contact the employee's health care provider with health related questions related to the workers' compensation claim.

### General Deadlines:

- A. Medical certification: due at the time the employee gives notice or within five (5) business days thereafter.
- B. Medical certification: due within fifteen (15) days if requested by employer when questions of appropriateness or duration of leave exist.
- C. Incomplete or insufficient medical certification: due within seven (7) calendar days upon being notified in writing (unless not practicable under circumstances).

**Referenced Laws:** 29 CFR § 825.305(c), 29 CFR § 825.306(c), 29 CFR § 825.307(a)