GEORGE MASON UNIVERSITY

University Policy No. 2218

Subject: Medical Information Required for Employment

Responsible Parties: Assistant Vice President and Chief Human Resources Officer; Human Resources & Payroll; Occupational Health Office; Heads of Departments, Offices and Activities

Procedures: http://hr.gmu.edu/occhealth/procedures/EmployeeMedicalInformationProcedures.pdf

Related University Policies: George Mason University Administrative Policies; Department of Human Resource Management Policies Federal and State laws

I. SCOPE

The policies and procedures provided herein apply to all administrative and professional faculty, classified, and non-student wage employees of George Mason University, at all University locations.

II. POLICY STATEMENT

Health information acquired as part of a person’s employment is not covered under the Health Insurance Privacy Portability Act (HIPPA). However, employment-based medical information must be protected and remain confidential.

III. DEFINITIONS

This policy addresses employee medical information required under the following categories:

- Americans with Disabilities Act (ADA) accommodations
- Blood Bourne Pathogen Work-Related Exposure Incidents and Immunization Records
- Disability Plan claims: Virginia Sickness and Disability Program & UNUM employee purchased disability insurance policies
- Disability Retirements
- Fitness for Duty Requests
- Family Medical Leave Act (FMLA) requests
- Pre-employment physical and/or psychological examinations and screening tests
- Virginia Department of Transportation Substance Abuse Screening Tests
- Workers Compensation Claims
IV. RESPONSIBILITIES

A. The Assistant Vice President and Chief Human Resources Officer are responsible for the administration and implementation of this policy.

B. The Occupational Health Office is responsible for maintaining the confidentiality of medical information required for employment.

C. Heads of Departments, Offices, and Activities are responsible for assuring approved requests are within the scope of this policy and establishing the following quality assurance controls, where applicable.

V. COMPLIANCE

A. All medical information required as a condition of employment, should be sent directly to the Occupational Health Office, Human Resources and Payroll from the evaluating physician. The Occupational Health Office will notify the appropriate personnel of the physician’s recommendation.

B. All medical information must be maintained separately from all other personnel records.

C. Supervisors may not request or retain medical documentation from employees (e.g., Fitness for Duty, Family Medical Leave Requests, etc.).

D. Employees have a right to obtain copies of employment based medical information through the Occupational Health Office.

VI. EFFECTIVE DATE AND APPROVAL

The policies herein are effective October 10, 2004. This Administrative Policy shall be reviewed and revised, if necessary, annually to become effective at the beginning of the University's fiscal year, unless otherwise noted.

Approved: __________________________ __________________________

Senior Vice President   Provost

Date approved: __________________________