



Medical Providers and the Americans with Disabilities Act

Part 6: Providing Medical Documentation- Patients with Disabilities in the Workplace

Title I of the Americans with Disabilities Act (ADA) prohibits discrimination against individuals with disabilities in employment settings. One of its provisions is the requirement that employers provide reasonable accommodations to qualified employees or applicants with disabilities, unless to do so would cause undue hardship. Reasonable accommodations are modifications or adjustments to the work environment, to the manner the job is customarily performed, or to the job application or interviewing process, that enable a qualified individual with a disability to enjoy equal employment opportunities and allow the individual to perform the essential functions of the job.

Examples of reasonable accommodations include creating physical access for an individual who uses a wheelchair, providing a sign language interpreter for an individual who is deaf, or providing screen reading software for an individual who is blind or who has a learning disability. It also can include things like part-time or modified work schedules, job restructuring, providing or modifying equipment or devices, or reassignment to a vacant position.

If the need for an accommodation is not obvious, the employer can ask the individual for medical documentation establishing the existence of a disability as defined by the ADA and the need for an accommodation. A physician's ability to provide appropriate documentation can make a significant impact on an individual's ability to obtain an effective reasonable accommodation.

To be eligible for a reasonable accommodation under the ADA, an individual must meet the ADA definition of disability. Under the ADA Amendments Act of 2008, an individual is considered to have a disability if they have a physical or mental impairment that substantially limits a major life activity, have a record of such an impairment, or is regarded as having such an impairment. Major life activities include, but are not limited to, caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. A major life activity also includes the operation of a major bodily function, including but not limited to, functions of the immune system, normal cell growth, digestive, bowel, bladder, neurological, brain, respiratory, circulatory, endocrine, and reproductive functions.

The ADA does not require a particular diagnosis in order to be considered an individual with a disability. The ADA merely requires that there be an impairment that substantially limits a

major life activity. As such, a physician providing medical documentation must include a description of the qualifying impairment, using the ADA's specific language.

The second component of effective medical documentation is establishing the need for an accommodation. This is done by including information about the patient's functional limitation and its relationship to a workplace barrier. What functional limitation is causing the patient's work-related problems and what are those problems? Including any suggestions you have for possible accommodations is always helpful. In their publication, *Practical Guidance for Medical Professionals: Helping Patients Write Effective Accommodation Request Letters*, the Job Accommodation Network (JAN) offers the following examples of how a medical professional can establish the need for an accommodation:

"Example A: Because of Patient X's depression and associated concentration problems, she is having difficulty completing reports on time. One accommodation that might be helpful is to reduce distractions in her workspace. This could be done by moving her to a private office or providing a headset with white noise.

Example B: Because of Patient X's rotator cuff injury and his associated limitations of lifting no more than 25 pounds, pushing/pulling no more than 50 pounds, and no overhead work, he is having difficulty moving some of the boxes in the warehouse. Accommodations that might be helpful include a height-adjustable lifting device, a small lightweight ladder, and help moving some of the heavier boxes.

Example C: Because of Patient X's progressive vision loss and associated blurred vision, she is having difficulty reading her computer screen and paper copies of reports. One accommodation that might be useful for her computer access is screen reading software. For reading paper copies, a stand magnifier that magnifies four times the regular print may work for now, but because the vision loss is progressive, a better option might be to scan in documents so Patient X can read reports on her computer."

Medical documentation should be provided on letterhead unless the employer provides a specific form. A note jotted on a prescription pad is rarely considered sufficient documentation.

For additional information on effective medical documentation and on the ADA, please contact the Rocky Mountain ADA Center at 1-800-949-4232.

Job Accommodation Network: *Practical Guidance for Medical Professionals: Helping Patients Write Effective Accommodation Request Letters*: <http://askjan.org/pubsandres/list.htm>