

CERTIFICATION OF HEALTH CARE PROVIDER FOR EMPLOYEE'S SERIOUS HEALTH CONDITION

Family and Medical Leave Act (FMLA) & California Family Rights Act (CFRA)

PURPOSE of FORM: The below-named employee of the University of California has requested a leave of absence for their health condition which may qualify as a protected leave under the FMLA and/or CFRA. This medical certification form will provide the University with information needed to determine if the employee's requested leave is for a qualifying reason under the FMLA and/or CFRA. Section II must be fully completed by the health care provider.

INSTRUCTIONS to EMPLOYEE: You are required to submit a timely, complete, and sufficient medical certification to support your request for FMLA and/or CFRA leave due to your own serious health condition. Providing this completed form is required to obtain (or retain) the benefit of FMLA and/or CFRA protections for your leave. Failure to provide a complete and sufficient medical certification to the University may result in a delay or denial of your leave request.

This form should be completed and returned within 15 calendar days of our request for this information. If you cannot return the completed form within the stated deadline, please contact _____ with the reasons for the delay and the date when the certification will be provided.

You may return the form in person, by mail, or by fax. The fax number is _____.

You should include a fax cover sheet marked "CONFIDENTIAL" and address your fax to:

"ATTENTION: _____."

SECTION I: To be completed by THE UNIVERSITY

EMPLOYEE'S NAME		EMPLOYEE'S JOB TITLE	
EMPLOYEE'S REGULAR WORK SCHEDULE			
NAME OF UNIVERSITY REPRESENTATIVE		UNIVERSITY REPRESENTATIVE MAILING ADDRESS	
TELEPHONE	FAX	E-MAIL	

☐ Check if job description listing essential functions is attached

SECTION II – To be completed by HEALTH CARE PROVIDER

INSTRUCTIONS to the HEALTH CARE PROVIDER: Your patient (our employee) has requested leave under the FMLA and/or CFRA. Please 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 employee. Be as specific as you can; terms such as "indefinite," "unknown," or "indeterminate" may not be sufficient to determine FMLA/CFRA coverage. **Limit your responses to the condition for which the employee is seeking leave.** Be sure to sign and date the form on page 3.

IMPORTANT: DO NOT DISCLOSE ANY UNDERLYING DIAGNOSIS WITHOUT THE PATIENT'S CONSENT.

THE GENETIC INFORMATION NONDISCRIMINATION ACT OF 2008 (GINA): The Genetic Information Nondiscrimination Act of 2008 (GINA) prohibits employers and other entities covered by GINA Title II from requesting or requiring genetic information of an individual or family member of the individual, except as specifically allowed by this law. To comply with this law, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic information" as defined by GINA, includes an individual's family medical history, the results of an individual's or family member's genetic tests, the fact that an individual or an individual's family member sought or received genetic services, and genetic information of a fetus carried by an individual or an individual's family member or an embryo lawfully held by an individual or family member receiving assistive reproductive services.

THE CALIFORNIA GENETIC INFORMATION NONDISCRIMINATION ACT OF 2011 (CaGINA): The California Genetic Information Nondiscrimination Act of 2011 (CaGINA) prohibits employers and other covered entities from requesting, or requiring, genetic information of an individual or family member of the individual except as specifically

allowed by law. To comply with CalGINA, we are asking that you not provide any genetic information when responding to this request for medical information. "Genetic Information," as defined by CalGINA, includes information about the individual's or the individual's family member's genetic tests, information regarding the manifestation of a disease or disorder in a family member of the individual, and includes information from genetic services or participation in clinical research that includes genetic services by an individual or any family member of the individual. "Genetic Information" does not include information about an individual's sex or age.

PROVIDER'S NAME

BUSINESS ADDRESS

TELEPHONE

FAX

PART A: MEDICAL FACTS

(1) Approximate date condition commenced:

Probable duration of condition:

From: _____ To: _____

(2) Page 3 describes what is meant by a "[serious health condition](#)" under both the FMLA and CFRA. Does the employee's condition qualify as one of the types of serious health conditions described?

☐ Yes ☐ No

If yes, which type of [serious health condition](#) listed on Page 3 applies:

☐ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ 6

(3) Use the information provided by the University in Section I to answer these questions. If no job description has been provided, please answer these questions based upon the employee's own description of their job functions.

Is the employee able to perform work of any kind?

☐ Yes ☐ No

If yes, is the employee unable to perform one or more of the essential functions of their position due to the condition? (Answer "yes" if intermittent or reduced schedule leave is medically necessary.)

☐ Yes ☐ No

PART B: AMOUNT OF LEAVE NEEDED

(4) Will the employee be incapacitated for a single continuous period of time due to their medical condition, including any time for treatment and recovery?

☐ Yes ☐ No

If yes, estimate the beginning and ending dates for the period of incapacity:

FROM

TO

Answer questions 5 and/or 6 only if the employee requires leave on an intermittent or reduced schedule basis.

(5) Will it be medically necessary for the employee to leave work intermittently or work a reduced schedule as a result of the medical condition (other than for episodic flare-ups which are addressed in question #6 below)?

☐ Yes ☐ No

If the employee needs reduced schedule leave, estimate the part-time or reduced work schedule the employee needs:

Employee should work no more than:

_____ Hours per Day _____ Days per Week From: _____ through: _____

If the employee needs intermittent leave, estimate the frequency of need for intermittent leave and the duration of incapacity (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

(6) Will the medical condition cause episodic flare-ups that will make it medically necessary for the employee to leave work intermittently or work a reduced schedule?

☐ Yes ☐ No

If yes, based upon the patient's medical history and your knowledge of the medical condition, estimate the frequency of flare-ups, the likely duration of incapacity that the patient may have as a result, and the period during which the flare-ups may occur (e.g., 1 episode every 3 months lasting 1-2 days during the specified period):

Frequency: _____ Times per ☐ week(s) ☐ month(s)

Duration: _____ ☐ Hours or _____ ☐ Day(s) per episode

Flare-ups may occur from: _____ through: _____

Part C: SIGNATURE

SIGNATURE OF HEALTH CARE PROVIDER

DATE

Print Form

Serious Health Conditions

A “serious health condition” means an illness, injury (including, but not limited to, an on-the-job injury), impairment, or physical or mental condition that involves either inpatient care or continuing treatment, including, but not limited to, treatment for substance abuse.

- Inpatient Care means a stay in a hospital, hospice, or residential health care facility, any subsequent treatment in connection with such inpatient care, or any period of incapacity. A person is considered an inpatient when a health care facility formally admits them to the facility with the expectation that they will remain at least overnight and occupy a bed, even if it later develops that such person can be discharged or transferred to another facility and does not actually remain overnight.
- Incapacity means the inability to work, attend school, or perform other regular daily activities due to a serious health condition, its treatment, or the recovery that it requires.
- Continuing Treatment means ongoing medical treatment or supervision by a health care provider.

A serious health condition involves one or more of the following:

1. Inpatient Care (as defined above)

2. Absence Plus Treatment

A period of incapacity of more than three (3) consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- (a) Treatment two or more times by a health care provider, by a nurse or physician’s assistant under direct supervision of a health care provider, or by a provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; OR
- (b) Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider (e.g., a course of prescription medication, or therapy requiring special equipment, to resolve or alleviate the health condition). This does not include taking over-the-counter medications or activities that can be initiated without a visit to a health care provider (e.g., bed rest, exercise, drinking fluids).

3. Pregnancy (which is covered as a serious health condition under FMLA but not under CFRA)

A period of incapacity due to pregnancy, childbirth, or related medical conditions. This includes severe morning sickness and prenatal care.

4. Chronic Conditions Requiring Treatment

A chronic condition that:

- (a) Requires periodic visits for treatment by a health care provider, or by a nurse or physician’s assistant under direct supervision of a health care provider;
- (b) Continues over an extended period of time (including recurring episodes of a single underlying condition); and
- (c) May cause episodic rather than a continuing period of incapacity (e.g., asthma, diabetes, epilepsy, etc.).

5. Permanent/Long-Term Conditions Requiring Supervision

A period of incapacity that is permanent or long-term due to a condition for which treatment may not be effective. The person must be under the continuing supervision of, but need not be receiving active treatment by, a health care provider. Examples include Alzheimer’s, a severe stroke, or the terminal stages of a disease.

6. Multiple Treatments (Non-Chronic Conditions)

Any period of absence to receive multiple treatments (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three (3) consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).