



COBA
DELEGATE
SEMINAR

AUGUST
24th - 27th



HEALTH MANAGEMENT DIVISION ISSUES PROCESS

Presentation by
Kamaal Moore | Treasurer

III HEALTH MANAGEMENT DIVISION ISSUES

HMD handles matters involving sick leave, medical documentation, medical and psychiatric evaluations, medical restrictions, return-to-duty determinations, residence requirements, HMD appointments, FMLA, and medical incompetence cases.

Delegates should understand that many HMD issues can later become disciplinary matters. It is therefore important that officers follow the correct procedures, provide accurate information, preserve their documentation, and contact COBA as early as possible.

CALLING IN SICK

When an officer calls the HMD Sick Desk, the officer should provide complete and accurate information regarding the absence.

THE OFFICER SHOULD MAKE SURE THE INFORMATION GIVEN TO HMD IS PROPERLY DOCUMENTED AND SHOULD RECORD:

The date and time of the call.

The reason for the absence.

Any relevant incident information.

The name of the person who received the call, when available.

Any instructions provided by HMD.

Officers should not assume that HMD has correctly recorded the information. They should keep their own notes and documentation.

USE-OF-FORCE-RELATED ABSENCES:

When an officer is calling in sick because of an injury connected to a Use of Force incident, the officer must clearly tell the HMD Sick Desk that the absence is Use-of-Force related.

III THE OFFICER SHOULD PROVIDE THE CORRECT INFORMATION, INCLUDING:

- The date of the Use of Force.
- The nature of the injury.
- Comp information
- Any other information requested by the HMD Sick Desk.

The officer should not simply state that they are “banging in.”

The officer must clearly explain that the absence is connected to a Use of Force so it can be documented properly.

Incorrect or incomplete information may later affect how the absence is classified.

Logging Out for Medical Appointments.

Officers must log out with HMD for medical appointments before leaving their residence.



III THE OFFICER SHOULD PROVIDE ACCURATE INFORMATION REGARDING:

- The medical provider.
- The appointment location.
- The appointment time.
- The reason for leaving the residence.
- Any other information requested by HMD.

Officers should not wait until they have already left their residence to call the HMD Sick Desk.

Delegates should remind Officers:

- Log out before leaving the house.
- Medical Documentation After a Log-Out Appointment.
- Medical documentation from a logged-out appointment must be submitted within 48 hours.



III OFFICERS SHOULD:

- Submit the required documentation within 48 hours.
- Keep a copy of everything submitted.
- Record when and how the documentation was submitted.
- Obtain a timestamp, email confirmation, fax confirmation, or other proof of submission whenever possible.
- Submitting the documentation is important, but being able to prove that it was submitted is equally important.
- If HMD or the command later claims that the documentation was not received, the officer should be able to provide proof of submission.
- Emergencies or Delays During a Log-Out.
- If an emergency or unexpected issue arises while an officer is logged out, the officer should contact HMD immediately and explain what happened.



EXAMPLES MAY INCLUDE:

- Pick-up child from school/daycare.
- Taking a family member to an emergency room.
- An Urgi-care/emergency-room visit.
- A transportation problem.
- Any other situation that prevents the officer from returning home on time.

The officer should not wait until an Out of Residence violation is issued before explaining the situation.

Calling HMD while the issue is occurring gives the officer an opportunity to have the situation documented and may help prevent an Out of Residence violation.

The officer should also record the date and time of the call and the name of the person who received the information, when available.

MEDICAL DOCUMENTATION

Officers should keep copies of all medical documentation related to their absence, treatment, restrictions, surgery, rehabilitation, or return to duty.



||| **THIS INCLUDES:**

- Doctor's notes.
- Hospital records.
- Emergency-room records.
- Surgery records.
- Physical therapy or rehabilitation records.
- Medical restrictions.
- Return-to-duty clearances.
- HMD appointment notices.
- Emails, faxes, and submission confirmations.
- Delegates should advise officers to maintain their own complete file.
- Officers should not rely on HMD, the command, or a medical provider to maintain every document needed for a future case.
- HMD Appointments and Orders.
- Officers should take all HMD appointments and instructions seriously.

||| **THEY SHOULD:**

- Attend scheduled appointments.
- Arrive on time.
- Bring requested documentation.
- Keep copies of appointment notices.
- Document any cancellation or rescheduling.
- Keep a record of any instruction provided by HMD.
- Contact HMD if an emergency prevents attendance.
- Failing to attend an appointment or failing to comply with an HMD instruction may create a separate issue beyond the officer's original medical condition.

III RETURN-TO-DUTY ISSUES:

- Officers may experience delays or disagreements concerning return-to-duty determinations.
- A treating physician may clear an officer to return, but HMD may require additional documentation, testing, or evaluation.
- The sick leave policy includes a threshold involving 40 workdays and 15 occurrences within the applicable period.
- An occurrence may involve one non-consecutive sick day or a series of consecutive sick days. Therefore, several consecutive sick days may be treated as one occurrence even though they involve multiple workdays.
- Officers should not automatically accept HMD's calculations.

||| **THEY SHOULD REVIEW:**

- Every date charged.
- The total number of workdays.
- The total number of occurrences.
- Whether consecutive dates were properly grouped.
- Whether excluded absences were counted.
- Whether the calculation covers the correct period.
- Whether the officer returned to duty between absences.

THE OATH BOARD MEMBER REVIEWS:

- The complete sick leave history.
- HMD's calculation of workdays and occurrences.
- Rehabilitation records.
- Line-of-duty injury documentation.
- Return-to-duty history.
- Medical restrictions.
- Length of service.
- Prior disciplinary history.
- Awards and evaluations.
- Any evidence showing improvement, treatment, or ability to return to work.
- Special attention should be given to officers whose absences resulted from a verified line-of-duty injury.

III **THIS MAY INCLUDE:**

- Use-of-Force-related injuries.
- Serious injuries arising from unusual incidents.
- Falls or other accidents occurring while performing official duties.
- Injuries requiring hospitalization.
- Injuries requiring surgery or extended rehabilitation.

THE OATH BOARD MEMBER DETERMINES:

- How the incident was reported.
- Whether the injury was classified as line of duty.
- Whether the officer remained continuously absent following the incident.
- Whether the officer returned to work before later absences.
- Whether the absence falls within an exclusion under the sick leave policy.
- Whether the Department correctly applied the policy.
- Whether the injury and treatment were properly documented.



||| THE OATH BOARD MEMBER DETERMINES CONT.

- A continuous absence following an injury should be reviewed carefully to determine whether it was treated as one occurrence and whether the first absence was properly excluded under Directive 2258R-B.
- AWOL, LWOP, and Documentation Problems
- Delegates may encounter officers who were marked AWOL or placed on Leave Without Pay even though they claim they called in sick or submitted medical documentation.
- Out of Residence violations can often be avoided when officers properly log out and communicate with HMD.

||| OFFICERS SHOULD:

- Log out before leaving their residence.
- Provide the correct destination and appointment information.
- Follow the time and travel instructions given by HMD.
- Contact HMD immediately if an emergency, delay, additional test, referral, or change in location occurs.
- Keep records of all calls and instructions.
- Submit the required documentation within 48 hours.

Delegates should remind officers not to wait until after a violation is issued to explain what happened.

The Delegate's Role

||| **WHEN A MEMBER CONTACTS A DELEGATE ABOUT AN HMD ISSUE, THE DELEGATE SHOULD:**

- Listen carefully and obtain the complete timeline.
- Determine when and how documents were submitted.
- Obtain proof of submission.
- Review HMD appointment notices.
- Review sick leave calculations.
- Determine whether the absence involved hospitalization, pregnancy, a line-of-duty injury, or another possible exclusion.
- Determine whether the officer remained continuously absent after an injury.

DELEGATES SHOULD REMIND OFFICERS TO:

- Call HMD and provide accurate information.
- Log out before leaving their residence.
- Submit medical documentation from a logged-out appointment within 48 hours.
- Keep copies and proof of submission.
- Contact HMD immediately when an emergency or unexpected delay occurs.
- Clearly state when an absence is related to a Use of Force.
- Record the date, time, and details of all HMD calls.
- Attend all HMD appointments.
- Follow written instructions.
- Review sick leave calculations.
- Preserve all medical and line-of-duty documentation.
- Contact COBA before the issue becomes more serious.

III FMLA ISSUES:

- Officers are now required to contact HMD when they want to use approved FMLA leave.
- Before calling HMD to request FMLA, the officer should make sure they have received an approval letter confirming that the FMLA designation is active and in effect. Submitting an application, recertification, or medical paperwork does not automatically mean the leave has been approved.

III OFFICERS SHOULD BE MINDFUL OF THE FOLLOWING:

- Confirm that the FMLA approval period is currently active.
- Review the approval letter for the approved condition, frequency, duration, and expiration date.
- Contact HMD and clearly state that the absence is being taken under approved FMLA.
- Provide any information requested by the HMD Sick Desk.
- Keep a copy of the approval letter.
- Record the date and time of the call and, when possible, the name of the person who received it.
- Keep copies of any recertification paperwork and proof of submission.
- An officer who does not have an approval letter stating that the FMLA is in effect should not call HMD and represent the absence as approved FMLA leave. If the leave has not been approved, has expired, or the requested absence falls outside the terms of the approval, the Department may treat the officer as AWOL.
- An AWOL designation may result in serious discipline, including a possible seven-day suspension.



DELEGATES SHOULD REMIND OFFICERS:

- Do not assume your FMLA is active. Confirm that you have a current approval letter before requesting to use it.
- If an officer believes the approval is being delayed, incorrectly denied, or not properly recorded, the officer should contact COBA before using the leave so the issue can be reviewed.