



Operating Procedure

Effective Date March 1, 2019	Number 102.5
Amended	Operating Level Department
Supersedes Operating Procedure 102.5 (1/1/16)	
Authority COV §40.1-28, §53.1-10	
ACA/PREA Standards 5-1C-4048, 5-1C-4062, 5-1C-4071-1; 4-4048, 4-4062; 4-ACRS-4C-08; 4-APPFS-3A-03, 4-APPFS-3B-05, 4-APPFS-3E-02; 2-CO-1C-01, 2-CO-1C-19; 1-CTA-1C-01	
Incarcerated Offender Access Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Public Access Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Attachments Yes <input checked="" type="checkbox"/> #1 No <input type="checkbox"/>
Office of Primary Responsibility Director of Human Resources	

Subject
STAFF MEDICAL SCREENING AND PHYSICAL EXAMINATIONS

I. PURPOSE

This operating procedure provides guidance for all medical screenings and physical examinations required of Department of Corrections staff.

II. COMPLIANCE

This operating procedure applies to all units operated by the Department of Corrections (DOC). Practices and procedures must comply with applicable State and Federal laws and regulations, ACA standards, PREA standards, and DOC directives and operating procedures.

III. DEFINITIONS

Conditional Offer of Employment - An official offer of employment contingent upon the applicant's ability to meet specified physical or mental requirements or demonstrated ability to perform identified physical or mental tasks

Direct Contact - The employee has direct responsibility for the supervision of offenders or has job responsibilities that require work in the presence of offenders for the majority of the day. Direct Contact in probation and parole services means employees whose jobs involve use of force or includes power of arrest.

Essential Job Functions - The basic and fundamental job duties of a position that an employee must be able to perform, with or without a reasonable accommodation, as determined by the supervisor of the position and the Human Resources Officer for the organizational unit. Essential job functions may include, but are not limited to, the knowledge, skills, abilities, education, and training noted in the Employee Work Profile (EWP), physical and mental job requirements; expertise or skill needed to perform the job; and time required to perform a task or function.

Facility - Any institution or Community Corrections facility

Medical Practitioner - A physician, physician's assistant, or nurse practitioner licensed to practice medicine in the Commonwealth of Virginia or in the jurisdiction where the treatment is to be rendered or withheld

Prior to Job Assignment - While an employee is in job training and/or supervision prior to independently performing all of their job duties

Reasonable Accommodation - Any change in the work environment or the way work tasks are customarily performed that enables a person with a disability to enjoy equal employment opportunities. There are three categories of "reasonable accommodations":

- Modifications or adjustments to a job application process that enables a qualified applicant with a disability to be considered for the position such qualified applicant desires
- Modifications or adjustments to the work environment, or to the manner or circumstances under which the position held or desired is customarily performed, that enable a qualified person with a disability to perform the essential functions of that position
- Modifications or adjustments that enable a person with a disability to enjoy equal benefits and privileges

of employment as are enjoyed by its other similarly situated employees without disabilities

Recruitment Activities - All activities by which the organization seeks qualified applicants by posting and/or advertising a position to be filled through a competitive selection process

IV. PROCEDURE

A. Medical Screening Requirements

1. All new employees will complete a medical screening prior to being assigned to independently perform their job duties. (5-1C-4062; 4-4062; 2-CO-1C-19)
2. The *Employee Medical Evaluation - Medical Screening* section of the [Employee Medical Evaluation 102_F17](#) will be utilized to document the medical screening.
3. The medical screening must take place after a conditional offer of employment is made.
4. Each employee is responsible for updating the *Employee Medical Evaluation - Medical Screening* section whenever there are significant changes in the employee's health. Unit Heads may periodically require employees to update their *Employee Medical Evaluation - Medical Screening*.
5. For employees not required to have Physical Examinations, the [Employee Medical Evaluation 102_F17](#) will be filed in the employee's Medical Record maintained by the appropriate Human Resource Officer to be used only in the event of a medical emergency. (See Operating Procedure 102.7, *Employee Records*.)

B. Physical Examination Requirements

1. After a conditional offer of employment is made, but before employment commences, all facility employees identified as having direct contact with incarcerated offenders will receive a physical examination based on the essential job functions of that position. (5-1C-4062; 4-4062; 2-CO-1C-19)
2. After a conditional offer of employment, Probation and Parole employees whose job involves use of force or includes the power of arrest based on the essential job functions of that position, receive a physical examination prior to job assignment. (4-APPFS-3A-03)
3. Current employees in positions with comparable essential job functions will not be required to undergo a new physical examination.
4. Essential Job Functions
 - a. Whenever a physical examination is required, the Unit Head will be responsible for providing the medical practitioner with documentation outlining the job duties of the applicant or employee, the essential job functions, and the physical requirements of the position or required training.
 - b. The *Corrections Officer Essential Job Functions* (Attachment 1) should be used in recruitment activities and for the selection of applicants for such positions and may not be modified. Included within these functions are the requirements that Corrections Officers must be able to work overtime, all shifts, schedules, and posts.
5. The medical practitioner performing the physical examination must review the *Employee Medical Evaluation - Medical Screening* and document the physical examination on the *Employee Medical Evaluation - Physical Examination* section of the [Employee Medical Evaluation 102_F17](#).
6. The medical practitioner will utilize the completed [Employee Medical Evaluation 102_F17](#) to assess the applicant or employee's current ability to perform the essential functions of the job and the training requirements.
 - a. Based on this assessment, the medical practitioner must complete the *Recommendation* section of the [Employee Medical Evaluation 102_F17](#).
 - b. For Corrections Officers, the medical practitioner must also report their findings on the [Licensed Examining Physician's Report \(CO-25\) 102_F15](#) and the [Physical Training Requirements for Corrections Officers \(CO-25A\) 102_F16](#).

7. Medical conditions identified during the medical screening or physical examination that affect the ability of the employee to perform the essential job functions or that pose a direct threat to the health or safety of the individual or others will require further medical evaluation and follow-up.
 - a. The following factors will be considered when determining whether a direct threat exists:
 - i. The duration of the risk
 - ii. The nature and severity of the potential harm
 - iii. The likelihood that the potential harm will occur
 - iv. The imminence of the potential harm
 - b. If the medical practitioner is unable to make a decision on the applicant or employee's ability to perform the essential job functions or unable to make a decision to determine if a direct threat is posed, the DOC may require additional evaluation(s) or testing in order for the medical practitioner to make a determination of the applicant or employee's current ability to perform the essential functions of the job and the training requirements.
 - c. The applicant or employee is responsible for paying for any treatment or care given outside the operating unit as a result of any condition discovered as a result of the medical screening.
8. The applicant's medical practitioner will submit the completed [Employee Medical Evaluation 102_F17](#) to their appropriate facility Human Resources Officer for review.
9. Probation and Parole applicants are allowed 45 days from their hire date to have the *Employee Physical Examination* completed in order to give them adequate time for their health care coverage to begin.
 - a. Probation and Parole staff may go to a medical practitioner of their choice under their health care coverage to have the *Employee Physical Examination* completed. Only in exceptional cases, the Chief P&P Officer or designee can arrange with a DOC facility or a specific medical facility (at P&P District expense) to complete the *Employee Physical Examination*.
 - b. The Chief P&P Officer must provide the employee with a stamped envelope marked confidential and addressed to: Community Corrections Human Resource Officer, Department of Corrections, P.O. Box 26963, Richmond, VA 23261.
 - c. Using the supplied envelope, Probation and Parole staff will submit the completed *Employee Physical Examination* on the [Employee Medical Evaluation 102_F17](#) to the Community Corrections Human Resource Officer in DOC Headquarters.
 - d. No copies of a completed [Employee Medical Evaluation 102_F17](#) should be made and retained at the local P & P Office.
10. The facility Human Resources Officer will review physical examination forms before employment commences for all facility applicants.
11. If the medical practitioner finds conditions which affect the ability of the applicant or employee to complete training, perform essential job functions, pose a direct threat to the health or safety of the employee, or which require further medical evaluation and follow-up, the Human Resources Officer may consult with the medical practitioner and the Unit Head to determine if reasonable accommodations can be made. (See Operating Procedure 150.3, *Reasonable Accommodations*.)
12. The completed physical examination forms will be filed in the employee's Medical Record maintained by the appropriate Human Resource Officer as a part of the employee's medical file and will be used only in the event of a medical emergency. (See Operating Procedure 102.7, *Employee Records*.)
13. If an applicant does not accept employment after the conditional offer of employment and the completion of the physical examination, the completed physical examination forms will be made part of a confidential medical file and retained for three years.
14. Employees may be asked to obtain re-examinations according to a defined need or schedule. Defined need includes job assignment related examinations (food handler, Strike Force, P&P Officer firearms, etc.) and situational examinations (fitness for duty, communicable disease, etc.) (5-1C-4062; 4-4062; 2-CO-1C-19)

C. Infectious Diseases

1. All facility staff who have direct offender contact with offenders are screened for tuberculosis infection and disease prior to job assignment and annually in accordance with recommendations from applicable local, state, and federal public health authorities. (See Operating Procedure 740.1, *Infectious Disease Control*.)
2. Medical examinations are conducted for any employee suspected of having a communicable disease. (4-ACRS-4C-08)

D. Strike Force - Candidates for Strike Force membership must present a current [Strike Force-Examining Physician's Report](#) 075_F5 from the institutional Medical Practitioner certifying the individual meets all physical requirements (See [Strike Force Testing Scoresheet](#) 075_F4) without any limitations. (See Operating Procedure 075.3, *Strike Force*.)

E. Employee's Responsibilities

1. Employees must report to their Unit Head both initially and on an ongoing basis any physical, pharmacological, or mental conditions that directly affect their ability to perform essential job functions and required training. (4-APPFS-3B-05)
2. Any employee who receives a positive test for tuberculosis or displays symptoms subsequent to the initial physical examination must notify the Unit Head or designee immediately using an updated [Employee Medical Evaluation](#) 102_F17 (See page 1 *Personal Health History/Infectious Disease*.) in accordance with Operating procedure 740.1, *Infectious Disease Control*.
3. Payment for any second medical opinions or treatment will be the sole responsibility of the employee.
4. Falsification or omission of information for the medical screening or physical examination is considered falsifying a state document and is grounds for dismissal or other action under Operating Procedure 135.1, *Standards of Conduct*.

F. Fitness for Duty

1. Physical examination or psychological examination may be required of any employee as follows:
 - a. Routine or annual physical re-examinations will not normally be required except for food service workers.
 - b. Examinations or re-examinations will be conducted upon a defined need, a public health concern, or a fitness for duty exam.
 - c. Physical examinations may be required anytime a medical practitioner or other health care provider has identified a public health concern. Public health concerns might include any active, suspected, or potential transmission of a communicable disease or result from an identified need to quarantine an individual or group of individuals.
 - d. A fitness for duty examination should be required when an individual exhibits a physical and/or mental condition that may preclude them from performing the essential job functions required by the job classification. (5-1C-4048; 4-4048; 4-APPFS-3E-02; 2-CO-1C-01; 1-CTA-1C-01)
 - i. Requests for fitness for duty examinations will be submitted to the Unit Head.
 - ii. The Unit Head, after consultation with the Human Resources Officer and DOC Benefits Manager, will determine if an examination is indicated.
 - iii. Fitness for duty examinations will be limited in scope to the presenting problem.
 - iv. The DOC will pay for fitness for duty examinations and will normally use outside, independent health care providers coordinated by the DOC Benefits Manager.
2. In accordance with Operating Procedure 150.5, *Employee Assistance Program*, if an employee's job performance or attendance is unsatisfactory or there appear to be signs of other problems during the workday, the supervisor should counsel the employee in consultation with the Human Resources Officer followed by referral to the *Employee Assistance Program* if needed and appropriate.

G. Staff Health and Wellness Education and Programs (5-1C-4071-1)

1. All staff will have access to on-going health and wellness education, and programs and activities.
2. The employee wellness programs for the Commonwealth of Virginia are "[CommonHealth](#)" and "[Active Health](#)".
3. *CommonHealth* and *Active Health* cover a variety subjects on health and wellness and are presented in a variety of formats. Available programs include, but are not limited to:
 - a. Onsite educational events and video presentations
 - b. Smoking Cessation
 - c. Stress Management Sessions
 - d. Fitness Center and Recreational Activity Discounts
 - e. Newsletters
 - f. Weekly Wellness Notes
 - g. Healthy Beginnings - Prenatal Benefits/Maternity Management
 - h. Healthy Lifestyle Coaching
 - i. Healthy Eating Information
 - j. Healthy Insight Incentives
 - k. Discounts on programs such as "*WeightWatchers*", offering monitored goals and objectives, community support and the ability to participate in online programs.
 - l. Links and contact information to support programs (i.e., Employee Assistance Program, Critical Incident Peer Support/Group Intervention Teams).
 - m. Ongoing medical care and support for chronic health issues
4. Through the dissemination of healthy living information, promoted access to recreational activities, sponsored worktime seminars and meetings; incentivized by discounts to fitness activities and ongoing communication, employees are both encouraged and supported to participate and engage in health and wellness activities inside and outside of their unit/agency.

H. Health Evaluation Records and Confidentiality

1. The agency takes steps consistent with law with respect to such disclosure and adopts and implements necessary procedures to safeguard such information. All medical screening and physical examination documents, all laboratory data, chest X-ray reports, EKG reports, and any other documentation associated with health evaluations will be classified as confidential. (4-APPFS-3B-05)
2. All documents containing information regarding the medical condition or history of applicants and employees must be treated as official medical information and must be confidentially maintained in the *Employee Medical Record* in the Human Resources Office in accordance with Operating Procedure 102.7, *Employee Records*.
3. Access to an employee's medical record must be strictly limited to those persons who have a legitimate reason to know in accordance with Operating Procedure 102.7, *Employee Records*, and maintained with strict confidentiality. Employee medical records will be stored in a locked file or locked room in the Human Resources Offices for facilities and Virginia Correctional Enterprise, and the Human Resources Unit in Headquarters (Atmore) for Community Corrections, Environmental Services, and Agricultural Operations.

V. REFERENCES

- Operating Procedure 075.3, *Strike Force*
Operating Procedure 102.7, *Employee Records*
Operating Procedure 135.1, *Standards of Conduct*
Operating Procedure 150.3, *Reasonable Accommodations*

Operating Procedure 150.5, *Employee Assistance Program*

Operating Procedure 740.1, *Infectious Disease Control*

CommonHealth - Employee Wellness Program (www.commonhealth.virginia.gov).

Active Health (www.dhrm.virginia.gov/healthcoverage/activehealth)

VI. FORM CITATIONS

[Strike Force Testing Scoresheet](#) 075_F4

[Strike Force-Examining Physician's Report](#) 075_F5

[Licensed Examining Physician's Report \(CO-25\)](#) 102_F15

[Physical Training Requirements for Corrections Officers \(CO-25A\)](#) 102_F16

[Employee Medical Evaluation](#) 102_F17

VII. REVIEW DATE

The office of primary responsibility shall review this operating procedure annually and re-write it no later than three years after the effective date.

Signature Copy on File

1/28/2019

Joseph W. Walters, Deputy Director for Administration

Date