

State Employees Leave Bank – Submitting Requests for Leave

This packet contains information and all forms necessary to request leave from the Leave Bank:

1. Fact Sheet for the State Employees Leave Bank – Contains general information about joining and applying for leave from the Leave Bank.
2. State Employees' Leave Bank Request Form (MS-408) – Please complete Section #1 and submit to your Agency Leave Bank Coordinator in the Office of Human Resources.
3. State Employees' Leave Bank Medical Request Form (MS-402) – Please have your treating physician(s) complete and submit to your Agency Leave Bank Coordinator.
4. Authorization Form for Release of Records & Information (HIPAA Form) – Please complete and submit to your Agency Leave Bank Coordinator.
5. Leave Bank – Medical Leave Documentation – Provides examples of medical records that should be provided by your treating physician(s) to support your request for leave.

MEDICAL RECORDS

Medical records that address and support your work absence are the best documentation to provide for a favorable consideration of your request. For example, if you need leave to cover your absence from January 1 to January 15, ask your treating physician(s) to submit **actual medical records** that address the period from January 1 to January 15. It is not necessary for your physician to write any additional notes or letters.

You may wish to have your physician submit records directly to the Office of Human Resources. The records may be mailed, faxed or emailed to:

Jennifer English
DHMH – Administration Division
Office of Human Resources
201 W. Preston Street, Room 111
Baltimore, MD 21201
Jennifer.english@maryland.gov
Phone: 410 767-5532
Fax: 410 225-3296

You must submit the State Employees' Leave Bank Request Form (MS-408), the State Employees' Leave Bank Medical Request Form (MS-402) and the Authorization Form for Release of Records & Information (HIPAA Form) to your Agency Leave Bank Coordinator. Your Agency will submit the Leave Bank request to DBM for consideration. A determination will be issued within 30 days of receipt of your request. If the Leave Bank Coordinator recommends approval, you will be granted the time pending the Department of Budget and Management's decision regarding your application for leave from the bank. If the Department of Budget and Management denies your request for leave from the Leave Bank, you will be required to pay any leave advanced to you back with ½ the rate of annual and sick leave earned bi-weekly.

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FACT SHEET FOR THE STATE EMPLOYEES' LEAVE BANK

To join the Leave Bank, employees must donate eight (8) hours of sick, annual, or personal leave or a combination thereof. New employees may join within the first 60 days of employment or during open enrollment, which coincides with the State's health insurance open enrollment period. All other employees may join or renew Leave Bank membership during open enrollment. Employees who join the Leave Bank for the very first time must wait 90 days before using leave. Membership is for a two-year period and may be renewed by donating an additional eight (8) hours of leave. It is the responsibility of each employee to verify that the Leave Bank membership has been received and processed by the Agency Human Resource Office. Please check with your Leave Bank Coordinator if you have questions about eligibility or membership.

To qualify for leave from the Leave Bank, an employee:

- Must be an active member of the Leave Bank;
- Must have exhausted all forms of annual, sick, personal, compensatory time, and (employees working in 24/7 offices administrative days);
- Must **not** have a record of sick leave abuse (i.e. must not have been on a one-day sick slip restriction within the past two years);
- Must have received at minimum a satisfactory or above performance rating;
- Must **not** have been disciplined within the last year;
- Must have a serious and prolonged medical condition;
- Must provide sufficient medical documentation to substantiate absence for the time period covered by the Leave Bank request;
- Must in all likelihood be able to return to work in the foreseeable future;
- Must have received less than 2,080 hours of leave from the Leave Bank and the Employee-to-Employee Leave Donation Programs; and
- Must **not** have used more than 16 continuous months of leave from the Leave Bank and all other forms of paid leave.

To request leave from the Leave Bank, members must complete a State Employees' Leave Bank Request Form (MS-408). Members must also have their physician complete a State Employees' Leave Bank Medical Request Form (MS-402) and provide medical records that address the absence for which Leave Bank is requested. In addition to the medical provided if the leave request is for surgery the employee must have their discharge paperwork from the hospital or surgical center faxed to the Human Resources Office upon their release. Leave Bank forms are available in the Office of Human Resources or their web site at www.dhmf.maryland.gov/ohr/

or on the Department of Budget and Managements web site at www.dbm.maryland.gov. Please submit completed forms and medical documentation to your Human Resources Office. Human Resources will send the Leave Bank requests to DBM for consideration. If approval is being recommended by the Human Resources Office the employee will be granted leave bank pending the Department of Budget and Managements determination. The Department of Budget and Management will issue an approval/disapproval within 30 days of receipt.

If an employee is automatically granted leave by Human Resources and the request is subsequently denied, any leave used is converted to advanced sick leave and becomes a debt that must be repaid with ½ the annual and ½ the sick leave earnings bi-weekly. Other methods of repayment include donated leave from another employee or payback with cash.

Approval to use leave from the Leave Bank is **discretionary**. Denial may be based on any reason that is consistently applied and is not illegal or unconstitutional.

DIRECTIONS FOR COMPLETING THE LEAVE BANK REQUEST FORM – MS-408

Section 1 – To be Completed by the Employee:

Employee fills in name, entire 9 digit social security number (failure to enter entire social security number may result in a delay in processing your request for leave bank), home address, city, state, and zip code, agency (DHMH and the 6 digit agency code found on your time sheet or paycheck), classification (state classification) sign and date the form.

Section 2 – To be Completed by Agency Leave Bank Coordinator:

For employees working in Headquarters, SETT, Chief Medical Examiners Office and the MD Health Exchange administrations this section is completed by Jennifer English, employees working in local health departments or facilities this section is completed by the Personnel Officer or liaison at the local level.

Section 3 – To be Completed by Appointing Authority or Designee:

For employees working in Headquarters, SETT, Chief Medical Examiners Office and the MD Health Exchange administrations this section is completed by Jennifer English, employees working in local health departments or facilities this section is completed by the Personnel Officer or liaison at the local level.

MS-402 STATE EMPLOYEES' LEAVE BANK MEDICAL REQUEST FORM

This form is to be completed by the employee's physician(s) who are treating them and for the period of time being requested under Leave Bank or Employee-to-Employee Leave Donations. While it is good to submit additional office notes etc., requests for Leave Bank or Employee-to-Employee Donations will not be considered without the MS-402.

LEAVE BANK AND/OR EMPLOYEE-TO-EMPLOYEE LEAVE DONATION PROGRAMS – Authorization Form for Release of Records and Information

- A. Completed by the employee requesting leave from the bank or other employees fill in name, 9-digit social security number and your date of birth.
- B.1.b Fill in your treating physician(s) and their telephone number.
- D. The employee and a witness sign and date the bottom of the HIPAA Form.

(Revised 3/12/13)

EXAMPLES OF LEAVE BANK/EMPLOYEE-TO-EMPLOYEE MEDICAL DOCUMENTATION

In most cases, your Leave Bank request is evaluated without the benefit of a personal examination. Please have your physician(s) submit appropriate medical documentation to support your claim. The best thing to submit for favorable consideration is medical documentation that addresses the period of time you need leave from the Leave Bank. You should have your doctor's office fax this information to 410-225-3296.

Listed below are examples of the type of medical documentation that should be submitted if applicable:

- 1) Office Visit Notes;
- 2) Hospital Records (Operative Report & Discharge Summary);
- 3) Physical & Diagnostic Findings;
- 4) Physician's Statement of Current Disability, Symptoms, and Physical Limitations (to explain why you cannot perform your job duties) and Prognosis;
- 5) Laboratory Reports (EEG, Myelogram, Angiography, Cat Scan, etc.);
- 6) Reports of X-Rays as read by Examining Physician;
- 7) Physical Therapy Notes;
- 8) Reports from Specialists;
- 9) Date of Surgery or Other Procedure;
- 10) For Pregnancy Cases, Anticipated Due Date, Type of Delivery and Copy of Antepartum Record;

(Revised 3/12/13)

STATE EMPLOYEES' LEAVE BANK REQUEST FORM

SECTION 1 – To Be Completed by Employee

Name:	Classification:
Social Security Number (9 digits):	
<i>NOTE: Providing your full Social Security Number will help us verify your identity. Failure to provide it may result in rejection of your request. Your number will be kept confidential in accordance with Federal and State laws and regulations.</i>	
Home Address:	City/State/Zip:
Agency:	
Signature:	Date:

SECTION 2 – To Be Completed by Agency Leave Bank Coordinator

Agency Leave Bank Coordinator:		
Phone #:	Fax #:	
Last Date Employee Worked:		
Employee needs	hours to cover absence from	to
Can agency accommodate a modified duty assignment? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Is employee on FMLA leave? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide date FMLA entitlement expires:		
Has employee been on one-day sick slip restriction within the last two years? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide effective date of restriction:		
Has employee been disciplined within the last year? Yes <input type="checkbox"/> No <input type="checkbox"/> If yes, provide effective date of disciplinary action:		
Employee's last performance evaluation rating was: <input type="checkbox"/> Satisfactory or Above <input type="checkbox"/> Less than Satisfactory		
Is this absence due to an on-the-job injury? Yes <input type="checkbox"/> No <input type="checkbox"/>		
Leave Bank Coordinator's Signature:	Date:	
Agency Recommendation: Approve <input type="checkbox"/> Disapprove <input type="checkbox"/>		

SECTION 3 – To Be Completed by Appointing Authority or Designee:

This employee has exhausted all forms of annual, sick, personal and compensatory time because of a serious and prolonged medical condition. The employee has been a member of the Leave Bank for at least 90 days or has been granted an exemption by the Secretary of Budget and Management. Approval will not cause the employee to exceed 2,080 hours of leave from the Leave Bank and Employee-to-Employee Leave Donation Programs during his/her entire State employment. Approval will not cause the employee to exceed 16 months of continuous leave, when combined with all other forms of paid leave. As the appointing authority for this employee, I have reviewed the employee's records and I certify that this request meets all of the criteria specified in Section 3.

Signature of Appointing Authority or Designee

Date

STATE EMPLOYEES' LEAVE BANK
MEDICAL REQUEST FORM

TO BE COMPLETED BY EMPLOYEE'S TREATING PHYSICIAN

PATIENT'S NAME: _____

DIAGNOSIS(ES): _____

ICD-9 CODE(S): _____

SUMMARY OF TREATMENT(S) & PROCEDURE(S): _____

CPT CODE(S): _____

SURGERY DATE (IF APPLICABLE): _____

HOSPITALIZATION DATE(S) (IF APPLICABLE): From: _____ To: _____

CAN EMPLOYEE WORK IN A MODIFIED CAPACITY? YES _____ NO _____

IF YES, EXPLAIN RESTRICTIONS FOR MODIFIED DUTY:

DATE EMPLOYEE IS LIKELY TO RETURN TO:

MODIFIED DUTY: _____ **FULL DUTY:** _____

PHYSICIAN'S SIGNATURE

PHYSICIAN'S NAME (PRINTED)

PHYSICIAN'S PHONE NUMBER

DATE FORM COMPLETED

This document shall be treated as a confidential medical record; it shall not be placed in the employee's personnel file. Only those individuals with a need to know this information will be given access to it. An employee who fails to appropriately safeguard the confidentiality of this information will be subject to disciplinary action, including termination from State Service.

STATE EMPLOYEES' LEAVE BANK PROGRAM

Authorization Form for Release of Records and Information

- A. Identification:** This document authorizes the use and/or disclosure of confidential protected health information about the following person:

Employee's Name: _____ Date of Birth: _____

B. Directions for Release:

I authorize the individual or company identified below in Section B.1b to release and/or use protected health information pertaining to the individual listed in Section A to the individual(s) identified in Section B.1a.

B.1a. I authorize the disclosure of information to:

State Employees' Leave Bank Program
State Medical Director

B.1b. I authorize the obtaining of information from:

(Specify Health Care Provider) _____
State Medical Director

- B.2. Information to be released:** I authorize the disclosure and/or use of any information from my medical records relating to the condition(s) for which I am seeking leave.

- B.3. Purposes:** I authorize the disclosure and/or use for the following reason(s):

- (a) for employment purposes
- (b) to determine my eligibility for participation in the State Employees' Leave Bank Program

- B.4.** I am asking that you NOT provide any genetic information when responding to this request for medical information. Genetic information, as defined by the Genetic Information Nondiscrimination Act of 2008, 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.

- C. Right to Revoke:** I understand that I may revoke this authorization at any time except to the extent that action has already been taken in reliance upon it. This authorization will expire one year after the date it is signed. To revoke the authorization, I must contact, in writing: Margaret Embardino, Director, Employee Medical Services Unit, Department of Budget and Management, 301 W. Preston Street, Room 508, Baltimore, MD 21201 or via Fax at 410-333-5440.

- D. Authorization and Signature:** I authorize the release of my confidential protected health information, as described in my directions in Section B. I understand that this authorization is voluntary, the information to be disclosed is protected by law and the disclosure will conform with my directions. The information that is used and/or disclosed pursuant to this authorization may be redisclosed by the recipient unless the recipient is covered by Maryland law which prohibits redisclosure or other laws limiting the use and/or disclosure of my confidential protected health information.

I have read the contents of this authorization and I confirm that the contents are consistent with my directions. I understand that by signing this form, I am authorizing the use and/or disclosure of my confidential protected health information.

Your Signature

Signature of Witness

Date

(Revised February 2013)

STATE EMPLOYEES' LEAVE BANK

MEDICAL DOCUMENTATION

In most situations, your leave request will be evaluated without benefit of a personal examination. Please have your health care provider(s) submit appropriate medical documentation to support your request. The best thing to submit for favorable consideration is medical documentation that addresses the period of time you need leave.

Listed below are examples of the type of medical documentation that should be submitted, if applicable:

1)	Office Visit Notes
2)	Hospital Records (Operative Report & Discharge Summary)
3)	Physical & Diagnostic Findings
4)	Physician's Statement Of Current Disability, Symptoms And Physical Limitations (to explain why you cannot perform your job duties) and Prognosis
5)	Laboratory Reports (EEG, Myelogram, Angiography, Cat Scan, Etc.)
6)	Reports Of X-Rays As Read By Examining Physician
7)	Physical Therapy Notes
8)	Reports from Specialists
9)	Date of Surgery or Other Procedure
10)	For Pregnancy Cases, Anticipated Due Date or Actual Delivery Date, Type of Delivery and Copy of Antepartum Record

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