

Guidelines for Drafting Work Accommodation Notes For Patients Who Have Medical Conditions that Increase Their Risks from COVID-19

The Centers for Disease Control and Prevention (CDC) has identified a number of factors that increase the risk of serious illness or death from COVID-19. Specifically, the CDC has identified some underlying health conditions that, based on current medical evidence, are known to or may increase this risk. The CDC recommends that individuals with these health conditions take extra precautions in order to reduce their risk of exposure to the novel coronavirus.

Individuals with identified health conditions may need workplace accommodations in order to protect their health and continue to perform the essential functions of their jobs. Health care providers can play an important role in enabling their patients to receive the accommodations they need to protect their health and to keep their jobs.

An effective accommodation work note for purposes of protecting individuals with medical conditions that make them more vulnerable to complications from COVID-19 includes the following elements:

1. A statement of the patient's diagnosed medical condition(s) that increases their risk for serious illness, complications or death from COVID-19. It is important that the note not only list a diagnosis, but that it also identify the bodily system, at least one major life activity, and/or the organ function that the condition substantially impacts (or would impact without treatment). Life activities may include caring for oneself, performing manual tasks, seeing, hearing, eating, sleeping, walking, standing, lifting, bending, speaking, breathing, learning, reading, concentrating, thinking, communicating, and working. *Appendix B contains a list of health conditions identified by the CDC, as well as the bodily system impaired.*
2. A statement that the patient's medical condition(s) puts them at higher risk of serious complications from COVID-19, including any details about their COVID-19 risk. If the patient's condition generally makes them more susceptible to complications from viral infections, consider including this as well.
3. A statement that the patient is advised to take particular precautions recommended by the CDC including limiting interactions with other people as much as possible, self-isolating, reducing contact with others, and/or taking precautionary measures when in contact with others and in public spaces.
4. An expression of support for one or more reasonable accommodations that the patient is requesting and that are medically supported and/or needed. *Appendix C lists examples of possible accommodations that may be appropriate for different job classifications of workers represented by the National Education Association.*

Important note on leave: A period of leave may be a reasonable accommodation, either until the requested accommodations can be put into place or until conditions related to the pandemic change. If a period of leave is required, it is best to give an estimated length.

For example: “A period of leave for the one to two weeks that it should take to implement physical or other workplace safety modifications.” OR “A period of leave for approximately ____ weeks, at which time, I want to reassess the patient’s medical condition in light of evolving workplace and community risks from COVID-19.”

5. Where possible, it is helpful to give an estimate of the expected duration of the need for any accommodation. Given the uncertainty about how conditions may change in any given work environment and/or community, it is important to be clear that this is not a maximum accommodation period, and possibly to provide a timeframe in which the patient should be reevaluated as conditions change.
6. An affirmative statement that the patient is able to continue working with a reasonable accommodation. Where a telework option is not available and the only recommended accommodation is leave, you may want to state that you expect the patient to be able to continue to work following a period of leave.

A sample Letter from Health Care Professional Supporting Workplace Request for Accommodations Related to COVID-19 is attached as Appendix A. This sample note should be customized for the patient.

APPENDIX A

Sample Letter from Health Care Professional Supporting Workplace Request for Accommodations Related to COVID-19

[Replace the above text with your professional letterhead. This letter must be individualized.]

[Date]

Dear [Supervisor or Human Resources Staff] OR [To Whom It May Concern]:

I am the [treating physician, nurse practitioner, healthcare professional, etc.] for [Patient].

My patient, [patient's name], has been diagnosed with [condition – *Appendix B contains a list of COVID-19 high-risk health conditions and the bodily systems they impair*], a medical condition that substantially limits [the bodily system impaired]. Specifically, this patient's body [describe the impairment].

People with [condition] face a higher chance of experiencing serious complications from COVID-19. The CDC has advised individuals with [condition] to take additional precautions in order to avoid exposure to the coronavirus. In particular, given my patient's condition, they [Explain any complications the patient has that would make them even more vulnerable to serious illness from COVID-19.]

[Add, if applicable: In general, people with [condition] are more likely to experience severe symptoms and complications when infected with a virus. For example, viral infections can [describe how viral infections in general impact people with the patient's condition.]]

[Include this only if relevant: My patient also has [list any other health conditions that may also increase risk from COVID-19], which makes them even more vulnerable to serious illness from COVID-19.]

Due to ongoing treatment for [condition] it is medically advisable for [patient] to [Select all that apply: avoid contact with others/self-isolate/reduce contact with others/take precautionary measures when in contact with others and in public spaces]. It is my professional opinion that the risk of serious illness related to COVID-19 can be mitigated through the following reasonable accommodations:

[List accommodations that patient is requesting and that are medically supported, such as teleworking; temporary reassignment to another position to accomplish physical distancing; temporary reassignment of specific duties; temporary leave; workplace screening, barriers, distancing, and disinfecting. *Appendix C lists examples of possible accommodations that may be appropriate for different job classifications.*]

[Where possible: I estimate that these accommodations will be necessary for approximately _____ weeks, at which time, I want to reassess the patient's medical condition in light of evolving workplace and community risks from COVID-19.]

[If a period of leave is required, it is best to give an estimated length, because an indefinite period of leave is generally not necessary and might not be considered to be a reasonable accommodation. For example: A period of leave for the one to two weeks that it should take to implement physical or other workplace safety modifications. OR

A period of leave for approximately _____ weeks, at which time, I want to reassess the patient's medical condition in light of evolving workplace and community risks from COVID-19.]

With these accommodations, I am confident that [patient's name] can safely and fully perform all essential job duties. Please contact me if you have any questions.

Sincerely,

[Signature]

[Printed Name]

APPENDIX B

Medical Conditions that Increase Risk from COVID-19

The chart below is based only on the conditions and information [identified by the CDC](#), as of July 23, 2020. The CDC list is updated as new medical evidence becomes available. There may also be other medical conditions, additional risk factors, and other precautions that are recommended for individual patients by their medical providers.

Condition	Bodily system(s) affected	Known/likely COVID risk
Asthma (moderate to severe)	Respiratory system	Likely risk
Cancer	Multiple/depends on type	Known risk Chemotherapy also increases risk of infections
Cerebrovascular disease	Circulatory system	Likely risk
Chronic kidney disease	Kidney function	Known risk at any stage of kidney disease
Chronic Obstructive Pulmonary Disease (COPD)	Respiratory system	Known risk
Cystic fibrosis	Respiratory and digestive system	Likely risk
Hypertension or high blood pressure	Cardiovascular system	Likely risk
Immunocompromised state from solid organ transplant	Immune system	Known risk
Immunocompromised state from blood or bone marrow transplant, immune deficiencies, HIV, or use of immune weakening medicines such as corticosteroids	Immune system	Likely risk
Liver disease	Liver function	Likely risk, especially if you have scarring of the liver
Neurologic conditions such as dementia	Neurological system	Likely risk
Obesity* (BMI of 30 or above)	Multiple	Known risk
Pregnancy**	Multiple	Likely risk; COVID-19 infection may also increase risk of preterm birth

Condition	Bodily system(s) affected	Known/likely COVID risk
Pulmonary fibrosis (damaged or scarred lung tissue)	Respiratory system	Likely risk
Serious heart conditions, such as heart failure, coronary artery disease, pulmonary hypertension, or cardiomyopathies	Cardiovascular system	Known risk
Sickle cell disease	Circulatory system	Known risk
Smoking*** (current or former smokers)	Respiratory and Cardiovascular system	Likely risk
Thalassemia (blood disorder)	Circulatory system	Likely risk
Type 1 diabetes mellitus****	Endocrine system	Likely risk
Type 2 diabetes mellitus*****	Endocrine system	Known risk
Mental Health Conditions (e.g., anxiety disorder, post-traumatic stress disorder, obsessive compulsive disorder)	May effect bodily systems or significantly impact one or more major life activity such as e.g., sleeping, eating, concentrating	Recognized by EEOC to be possible disabilities that may become more acute or disruptive during pandemic
<p>*Obesity: If listing obesity as a medical condition, you should also include related medical conditions like hypertension, diabetes, etc.</p> <p>**Pregnancy: For pregnant, postpartum and breastfeeding patients, you should identify any disabilities or pregnancy-related conditions that require accommodations. In addition to disability law, these patients may also have accommodation rights under pregnancy-specific state laws. For more information and accommodation resources, see Pregnant @ Work – Healthcare Professionals.</p> <p>***Smoking: For patients who are current or former smokers, you should identify any related medical conditions, particularly those that may affect the heart or lungs. Smoking may increase risk for other health conditions that increase risk of severe illness from COVID-19, such as cancer, coronary artery disease, or COPD.</p> <p>****Diabetes: The Americans Diabetes Association also provides a template doctor’s note specific to diabetes, which can be found at https://www.diabetes.org/coronavirus-covid-19/know-your-rights-covid-19</p>		

COVID-19 Related Disabilities – To date, the EEOC has not taken a position on whether or not COVID-19 could be considered a disability under the ADA. However, under the ADA’s broad definition of a disability as a physical or mental impairment that substantially limits one or more major life activity, it is possible that some patients who contract COVID-19 may suffer impairments that would qualify as a disability. For example, there is emerging evidence that some patients, including those who were not ill enough to be hospitalized, experience [prolonged illness and persistent symptoms](#). Patients who experience lingering symptoms that substantially limit one or more major life activity may need accommodations upon returning to work following a COVID-19 infection.

APPENDIX C

Possible Accommodations

Options for appropriate accommodations will depend on the individual patient’s medical condition, the degree and severity of risk to the patient’s health from exposure to coronavirus, and the essential functions of their job. The following chart is provided only as a reference to assist patients and medical providers in having a discussion about individual medical needs and provider recommendations.

Job Type*	Potential Points of Exposure to Coronavirus	Examples of Possible Accommodations
Classroom teachers	Multiple daily contacts with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings	Assignment to provide virtual instruction; all “general accommodations” (below); temporary transfer to a position with less student contact; temporary leave
Specialized Instructional Support Personnel (SISP)**	Multiple daily contact with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings	Assignment to provide services and/or instruction virtually; all “general accommodations” (below); temporary transfer to a position with less student contact; temporary leave
Food Service ESPs*** (cooks and food preparation workers; dietitians and dietary technicians; food service workers; cashiers; non-managerial supervisors)	Some prolonged periods of contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); temporary transfer to a position with less student contact; scheduling changes to reduce contact with others; temporary leave
Custodial and Maintenance ESPs (building and grounds maintenance staff; custodians; mechanics (except vehicle) and repairers; laborers, helpers, and warehouse personnel; non-managerial supervisors)	Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); scheduling changes to reduce contact with others; enhanced levels and types of PPE for those working with chemicals and potential contaminants; temporary leave

Job Type*	Potential Points of Exposure to Coronavirus	Examples of Possible Accommodations
<p>Clerical Services ESPs (secretaries, administrative and office assistants; data entry, payroll, and general office workers; bookkeepers and accounting and financial assistants; registration, records, and attendance technicians; receptionists; non-managerial office supervisors)</p>	<p>Some prolonged period of contact with students and co-workers; some contact with parents/guardians and visitors; exposure to surfaces; extended periods of time in buildings</p>	<p>Telework; all “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave</p>
<p>Paraeducators (instructional and non-instructional assistants; teachers’ and program aides; library aides, technicians, and assistants; preschool caregivers; building, bus, and playground monitors; crossing guards)</p>	<p>Multiple daily contacts with students and co-workers; some contact with parents/guardians; exposure to surfaces; extended periods of time in buildings</p>	<p>Assignment to support instruction and/or other services provided virtually; all “general accommodations” (below); temporary transfer to a position with less student contact; scheduling changes to reduce contact with others; temporary leave</p>
<p>Transportation Services ESPs (bus drivers; truck and van drivers; vehicle mechanics; garage workers; transportation maintenance workers; non-managerial supervisors)</p>	<p>Multiple daily contacts with students and co-workers; exposure to surfaces; extended periods of time in buildings</p>	<p>All “general accommodations” (below); limitations on numbers of passengers; plexiglass shields; requiring cracked windows on the bus, weather permitting; distancing between drivers and students and between students; PPE and hand hygiene protocols; hand sanitation station for students boarding and exiting buses; daily cleaning and disinfecting of buses; temporary leave</p>

Job Type*	Potential Points of Exposure to Coronavirus	Examples of Possible Accommodations
Technical Services ESPs (audiovisual, language, science, mechanical, and electrical technicians; computer operators and programmers; systems analysts; data processing specialists; media and public relations specialists; writers and editors; designers, photographers, and graphic artists)	Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	Telework; all “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave
Skilled Trade Services ESPs (electricians; carpenters; painters and glaziers; heating, ventilation, and air conditioning mechanics and specialists; machine operators, assemblers, and inspectors; printing services personnel; non-managerial supervisors)	Some contact with students and co-workers; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); scheduling changes to reduce contact with others; enhanced PPE for those working with ventilation systems and/or chemicals; temporary leave
Security Services ESPs (security workers; guards; non-managerial supervisors)	Multiple daily contacts with students, co-workers and parents/guardians; exposure to surfaces; extended periods of time in buildings	All “general accommodations” (below); scheduling changes to reduce contact with others; temporary leave
Health and Student Services ESPs (licensed practical nurses; nurses’ and health aides; health technicians; family and parent services aides; community welfare services workers; non-managerial supervisors)	Multiple daily close contacts with students, co-workers, and parents/guardians; exposure to surfaces; extended periods of time in buildings	Telework; all “general accommodations” (below); enhanced PPE for nurses and other appropriate staff; temporary transfer to a position with less student contact; temporary leave
Higher education faculty, contingent faculty, and graduate assistants	Multiple daily contacts with students and co-workers; exposure to surfaces; extended periods of time in buildings	Assignment to provide virtual instruction; all “general accommodations” (below); temporary transfer

		to a position with less student contact; temporary leave
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* Where positions are listed, these are examples and may not include every position that falls within that job type.

**SISP – Specialized Instructional Support Personnel: personnel who work with teachers, education support professionals, parents, community members, and other education stakeholders to make sure students have the services they need to succeed academically and socially, inside and outside the classroom. SISP include professionals such as school counselors, psychologists, social workers, occupational therapists, library media specialists, speech pathologists, and others

*** ESPs – Education Support Professionals are individuals employed in a professional career that falls into one of the following career categories: paraeducators, clerical services, custodial and maintenance services, food services, transportation services, technical services, skilled trades services, security services, and health and student services. ESPs work in both PK-12 systems and in institutes of higher education.

General Accommodations (if not already in place):

- **Personal Protective Equipment (PPE) and hand hygiene protocols; cleaning and disinfecting** – [appropriate face covering on patient](#) (if necessary, specifying cloth face covering, mask, or respirator); appropriate face covering on all others in the school building or other worksites (including school buses); face shields; mandatory hand-washing multiple times a day and hand sanitizer; daily cleaning and disinfecting, regular disinfecting of high-touch surfaces.
- **Building/Worksite Modifications** – plexiglass protections; HVAC system and other ventilation modifications to increase air flow, air filtration, and circulation of clean air
- **Distancing / Modifications to Work Environment & Schedules** – reductions in class size or other (e.g. school bus, office space, maintenance shop, etc.) capacity; reconfiguration of all spaces where students and/or staff gather; adjustments to school schedules and traffic patterns

Temporary Leave:

If you are recommending a period of temporary leave as an accommodation option because there are no other reasonable accommodations available or because leave is necessary until other accommodations can be put in place, please specify an estimated period of leave. For example, “A period of leave for the one to two weeks that it should take to implement physical or other workplace safety modifications.” OR “A period of leave for approximately ____ weeks, at which time, I want to reassess the patient’s medical condition in light of evolving workplace and community risks from COVID-19.”

Additional Resources:

The Job Accommodation Network (JAN) hosts a searchable online accommodation database, by categories such as disability/type of condition, limitations, and work-related functions:

<https://askjan.org/soar.cfm>