

# FAQ on leaves of absence related to COVID-19

## 1. How can employees get documentation for different medical scenarios?

Medical situation	Documentation issued by Kaiser Permanente	How members obtain documentation
An employee is symptomatic and can't work due to suspected or confirmed COVID-19.	A work status form (WSF), activity prescription form (ARx), or letter is issued.	WSF and ARx forms are issued when the member is evaluated by their provider and time off is recommended as part of their treatment plan. The WSF can also be used for return-to-work documentation.
An employee is asymptomatic but at risk due to a preexisting condition.	A standard COVID-19 high-risk patient letter will be sent to the member. A WSF isn't necessary unless the employee has specific limitations.	The letter will be sent if your employee's medical condition is already documented. Otherwise, they'll get it once they're evaluated by a provider. Members can request documentation through an e-visit or secure messaging on <a href="https://kp.org">kp.org</a> . The original letter and current CDC guidelines should be used for return-to-work documentation.
Employee is asymptomatic but required to self-isolate due to exposure.	None	Documentation simply involves employee attestation of exposure, which can be made directly to the employer. A return-to-work notice won't be issued because the original attestation and CDC guidelines should suffice.
Employee is exempt from wearing a mask.	None	Employers with questions or concerns should reference current public health department guidelines for their industry.
Employee is asymptomatic but needs to care for a sick relative, or has a family member who is high risk.	None	Documentation needs to be issued by the provider treating the family member in question. A return-to-work notice won't be issued because the original employee documentation and CDC guidelines should suffice.
Employee tells their employer that they have been exposed to COVID-19 in the workplace.	Provider completes the appropriate state's mandated form as a physician's first Report of Injury along with WSF/ARx forms.	A WSF and a ARx form are given to both the employee and employer after employee completes the visit with the physician.

(continues on next page)

*(continued)*

## **2. Will Kaiser Permanente provide documentation to show that my employee's time off qualifies for Families First Coronavirus Response Act (FFCRA) coverage?**

Kaiser Permanente will provide COVID-19 documentation based on the scenarios identified above.

## **3. My disability insurance provider or state disability agency requires medical documentation to approve my disability claim. What documentation will Kaiser Permanente provide?**

Kaiser Permanente will provide COVID-19 documentation based on the scenarios identified above.

## **4. When is COVID-19 treated as disability for purposes of state or private disability insurance?**

Determining whether an employee is considered disabled for the purposes of state benefits or if accommodation is needed depends on whether they have tested positive for COVID-19 or to what extent they are symptomatic. The treating provider will recommend time off as necessary and issue the WSF and ARx documents for the employee to submit to their employer, third-party administrator, or disability carrier.

## **5. My human resources department would like to receive a copy of sample documentation.**

Kaiser Permanente only provides medical documentation to members. Samples are not available.

## **6. When is COVID-19 treated as a nonoccupational disability requiring work accommodations?**

Determining whether an employee is considered disabled for the purposes of state benefits or if accommodation is needed depends on whether they have tested positive for COVID-19 or to what extent they are symptomatic. The treating provider will recommend time off as necessary and issue WSF and ARx documents for the employee to submit to their employer.

## **7. When is COVID-19 treated as an acceptable workers' compensation claim for exposure?**

Compensability is determined by the state workers' compensation acts. Please reach out to your workers' compensation third-party administrator or carrier for your state specifics. The responsible workers' compensation insurance company or administrator will determine if the employee is eligible for workers' compensation. State laws vary with regard to presuming certain occupations are automatically covered under workers' compensation insurance coverage. If the employee requires time off work due to a work-related exposure, the employer should prepare the appropriate state's mandated Employer's Report of Injury.

*(continues on next page)*

(continued)

## **8. How are Kaiser Permanente benefits changing for members with COVID-19?**

For all Kaiser Permanente plans, cost sharing (deductibles, copays, and coinsurance) will be reduced to zero dollars for medically necessary screening and testing for COVID-19. This includes the visit, associated lab testing, and radiology services in a Kaiser Permanente hospital, emergency or urgent care setting, or medical office. This cost-sharing reduction will apply to all Kaiser Permanente and other plan providers.

Except for employees of self-funded employers, Kaiser Permanente won't charge cost share on inpatient COVID-19 treatment services. This policy includes both inpatient and outpatient services, with the exception of outpatient prescription drugs.

Note: All accepted workers' compensation exposure claims are billed to the workers' compensation insurance payor at the appropriate state's mandated fee schedule. The employee has no deductibles or copays in workers' compensation.

## **9. How can my employees obtain information about nonoccupational disability benefits related to COVID-19?**

Employees should continue to reach out to their employers for guidance on their disability benefits. Employees in California should also consult the state's Employment Development Department at [edd.ca.gov/about\\_edd/coronavirus-2019.htm](http://edd.ca.gov/about_edd/coronavirus-2019.htm).

## **10. How will my employees' benefits change as a result of changes to their employment status, such as furloughs, layoffs, or company closures?**

This is best addressed by the employer, payroll company, or legal counsel. Details are changing frequently. Please refer to the latest benefit changes.

## **11. Can I treat a temporary reduction of hours like a leave of absence and continue to provide coverage based on my leave of absence policy?**

This seems to be a change in work status from full time to part time. Coverage will be determined by the employer's policies. Employees working reduced schedules may be entitled to Family Medical Leave Act or California Family Rights Act reduced schedule leave if their schedule reduction is due to their own limitations as opposed to lack of work.

## **12. How does a temporary reduction of hours affect group disability and life coverage when the policy requires 40 hours per week for eligibility?**

This needs to be reviewed by the employer and their disability carrier or third-party administrator.

(continues on next page)

(continued)

### **13. What is Kaiser Permanente doing to ensure consistent care and documentation for occupational and nonoccupational disability related to COVID-19?**

All COVID-19-related medical care is managed by teams specializing in COVID-19 treatment, regardless of whether COVID-19 is identified as qualifying for workers' compensation.\*

### **14. We received a letter from Kaiser Permanente confirming that our employee has a high-risk underlying condition and advising that they maintain a 6-foot distance from others. The employee is an essential worker, and this can't be accommodated. Is my employee now unable to work?**

Whether an employee at a higher risk can continue to work, either with or without an accommodation, must be determined by the employer and employee.

### **15. Does disability work differently from state to state?**

Employees in California, Hawaii, and Washington should consult their state employment resources:

- **California:** [edd.ca.gov/about\\_edd/coronavirus-2019.htm](https://edd.ca.gov/about_edd/coronavirus-2019.htm)
- **Hawaii:** [labor.hawaii.gov/dcd/home/about-tdi/](https://labor.hawaii.gov/dcd/home/about-tdi/)
- **Washington:** [dshs.wa.gov/esa/disability-determination-services](https://dshs.wa.gov/esa/disability-determination-services)

Disability in other states is only offered as private disability insurance.

### **16. If an employee has been on medical leave and was due to come back to work on the same day my business will be shutting down, can they file for state unemployment insurance?**

Employees should continue to reach out to their employers for guidance on their disability benefits. Employees in California should also consult the state's Employment Development Department at [edd.ca.gov/about\\_edd/coronavirus-2019.htm](https://edd.ca.gov/about_edd/coronavirus-2019.htm).

### **17. If an employee will be unable to work for a few weeks and our company will be shutting down before they return to work, should they file for disability or unemployment? Do they need to use the balance of their paid time off first?**

Employees should continue to reach out to their employers for guidance on their disability benefits. Employees in California should also consult the state's Employment Development Department at [edd.ca.gov/about\\_edd/coronavirus-2019.htm](https://edd.ca.gov/about_edd/coronavirus-2019.htm).

\*In California, Kaiser Permanente On-the-Job® physicians who are treating occupational COVID-19 exposure cases at Kaiser Permanente facilities will remain as the primary treating physicians for those cases.