

**CONFIDENTIALITY AND LIMITATIONS
ON USE OF MEDICAL INFORMATION**

ARKANSAS WORKFORCE INVESTMENT BOARD

AMERICANS WITH DISABILITIES ACT CONFIDENTIALITY AND LIMITATIONS ON USE OF MEDICAL INFORMATION

1. PURPOSE

Although the ADA does not limit the nature or extent of post-offer medical examinations and inquiries, it imposes very strict limitations on the use of information obtained from such examinations and inquiries. These limitations also apply to information obtained from examinations or inquiries of employees (Title I ADA Section 6.5)

2. SCOPE

This policy applies to all administrative entities operating under the Workforce Investment Act.

3. RESPONSIBILITIES

It shall be the responsibility of the administrative entities to:

- A. Keep the information in a medical file in a separate, locked cabinet, apart from the location of personnel files; and
- B. Designate a specific person or persons to have access to the medical file.

All medical-related information must be kept confidential, with the following exceptions:

- Supervisors and managers may be informed about necessary restrictions on the work or duties of an employee and necessary accommodations;
- First aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment or if any specific procedures are needed in the case of fire or other evacuations.
- Government officials investigating compliance with the ADA and other Federal and state laws prohibiting discrimination on the basis of disability or handicap should be provided relevant information on request. (Other Federal laws and regulations also may require disclosure of relevant medical information.)