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Next Review 06/2027

Owner Elizabeth Kang:  
Human Resources Compliance Manager  
Area Human Resources  
Applicability Memorial Healthcare System

## E-31 Employee Recovery Program

### PURPOSE

To provide an assessment and treatment program for employees impaired by drugs and/or alcohol. To provide the opportunity for employees recovering from chemical dependency to return to work under conditions of continued employment. To ensure compliance with the Agency for Healthcare Administration and applicable Florida State legislation for healthcare workers impaired by drugs and/or alcohol.

### SCOPE

The following employees are eligible to participate in the Employee Recovery Program:

- New employees currently enrolled in a substance abuse treatment program under contract with the Intervention Project for Nurses (IPN) or the Professional Resource Network (PRN).
- Any employee who has self-reported impairment, addiction, or substance abuse to Memorial, IPN, or PRN.

### PROCEDURES

#### EMPLOYEES WHO SELF REPORT – INITIAL TREATMENT AGREEMENT

To be initiated when:

1. An employee self-reports addiction or substance abuse;

2. There is no evidence that the employee has diverted medication from a patient; and
3. The employee has not been asked to submit to a reasonable suspicion drug test.

Employees who have diverted medication from a patient are not eligible for this program.

Employees who admit to drug use only after being asked to submit to a reasonable suspicion drug test or after a positive drug test result are not eligible for this program.

## **Responsibilities**

### **Supervisor**

1. Notifies Employee Relations of an employee's disclosure of addiction or substance abuse.

### **Employee Relations**

1. Contacts Memorial's Employee Assistance Program (EAP).
2. Schedules meeting with the employee and the employee's supervisor.
3. Refers the employee to EAP.
4. Reviews the MHS Treatment Agreement with the employee.
5. Informs employee that, if participation in IPN/PRN is required, acceptance into the IPN/PRN program is a requirement for continued employment.
6. Informs the employee that MHS will make efforts to reasonably accommodate persons in recovery and return them to their former or similar position. Job placement is not guaranteed, unless the employee is returning from a leave under the Family and Medical Leave Act (FMLA).
7. Reviews and witnesses the "Authorization for Disclosure of Medical Information" form with employee.
8. Contacts FMLASource to initiate FMLA for the employee, if appropriate.
9. *When the employee is approved to return to work, proceed to "Returning to Work – Conditional Work Agreement."*

### **Employee**

1. If a licensed practitioner, self-reports to IPN or PRN.
2. Contacts EAP as directed by Employee Relations.
3. Reviews and signs the MHS "Initial Treatment Agreement."
4. Signs the "Authorization for Disclosure of Medical Information" form authorizing the release of information to EAP and MHS for the duration of the Employee Recovery Program.
5. Once accepted into IPN/PRN program, provides HR with copy of IPN/PRN contract/agreement.
6. Notifies Employee Relations and their supervisor of any changes to IPN/PRN Program.

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## **RETURNING TO WORK – CONDITIONAL WORK AGREEMENT**

To be initiated when:

- Licensed Healthcare Professional - Employee is cleared by IPN/PRN to return to work; or
- Unlicensed Professional - Employee is cleared by treatment provider to return to work.

## **Responsibilities**

### **Employee**

1. Notifies supervisor and Employee Relations when approved to return to work.
2. Provides Return to Work authorization from IPN/PRN/treatment provider to Employee Relations.
3. Reviews, signs, and abides by terms of the MHS "Conditional Work Agreement."
4. Notifies Employee Relations and their supervisor of any changes to IPN/PRN Program.
5. Maintains communication with EAP regarding ongoing treatment.

### **Employee Relations**

1. Obtains a signed copy of the IPN/PRN Return to Work authorization from the employee or EAP.
2. Reviews the IPN/PRN agreement with the employee and supervisor, including restrictions, if included.
3. Reviews and witnesses "Conditional Work Agreement" with the employee.
4. Provides a copy of "Conditional Work Agreement" to EAP.

### **Supervisor**

1. Signs the "Conditional Work Agreement" and agrees to manage the employee in accordance with the IPN/PRN contract, including any restrictions.
2. Responds to any requests from IPN/PRN regarding employment, job duties, performance, or attendance of the employee.
3. Reports to Employee Relations any suspicion of relapse.

### **Employee Assistance Program (EAP)**

1. Contacts IPN/PRN/Treatment Provider to monitor compliance.
2. Reports compliance status to Employee Relations.

### **Employee Health**

1. If the employee is suspected of relapse and requested by Employee Relations, conducts reasonable suspicion drug testing.

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## **EMPLOYEE NON-COMPLIANCE OR RELAPSE**

***In instances of non-compliance or relapse, Memorial may choose to terminate employment.***

To be initiated when:

1. Employee is not compliant with IPN/PRN Program; or

2. Employee is not compliant with terms of "Conditional Work Agreement;" or
3. There is reasonable suspicion of employee non-compliance or relapse.

### **Responsibilities**

#### **Employee**

1. Agrees to reasonable suspicion drug test, if requested.

#### **Employee Relations**

1. If reasonable suspicion, requests Employee Health to conduct drug test.
2. Notifies EAP of non-compliance or relapse.

#### **Supervisor**

1. Reports to Employee Relations any suspicion of non-compliance or relapse.
2. Removes the employee from the schedule pending drug testing results or evaluation of program compliance.
3. Discusses non-compliance issues or relapse with EAP, IPN/PRN as requested.
4. After consultation with Employee Relations, informs the employee of the outcome (recommendation for further treatment or termination of employment).

#### **Employee Assistance Program (EAP)**

1. Contacts IPN/PRN/treatment provider to monitor compliance.
2. Reports compliance status to Employee Relations.
3. If notified by Employee Relations of non-compliance or relapse, notifies IPN/PRN.

#### **Employee Health**

1. If the employee is suspected of non-compliance or relapse and requested by Employee Relations, conducts reasonable suspicion drug testing.
2. Reports drug testing results to Employee Relations.

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### **NEW EMPLOYEES CURRENTLY UNDER TREATMENT**

To be initiated when:

- New employee notifies Memorial that they are currently participating in an IPN/PRN Program.

### **Responsibilities**

#### **Employee**

1. Employee must notify recruiter, supervisor, Employee Relations, or Employee Health that they are a current participant in an IPN/PRN program.
2. Provides a signed copy of the IPN/PRN contract/agreement to Employee Relations.

3. Reviews and Signs the MHS "Conditional Work Agreement."
4. Signs the "Authorization for Disclosure of Medical Information" form authorizing the release of information to EAP and MHS for the duration of the Employee Recovery Program.
5. Contacts EAP as directed by Employee Relations.
6. Notifies Employee Relations and their supervisor of any changes to IPN/PRN Program.

#### **Employee Health**

1. If an employee notifies Employee Health of IPN/PRN participation, Employee Health must notify Employee Relations.

#### **Recruiter**

1. If an employee notifies their recruiter of IPN/PRN participation, the Recruiter must notify Employee Relations.

#### **Supervisor**

1. If an employee notifies their supervisor of IPN/PRN participation, the Supervisor must notify Employee Relations.
2. Signs the "Conditional Work Agreement" and agrees to manage the employee in accordance with the IPN/PRN contract, including any restrictions.
3. Responds to any requests from IPN/PRN regarding employment, job duties, performance, or attendance of the employee.
4. Reports to Employee Relations any suspicion of non-compliance or relapse.

#### **Employee Relations**

1. Obtains a signed copy of the IPN/PRN contract/agreement from the employee.
2. Reviews the IPN/PRN agreement with the employee and supervisor, including restrictions, if included.
3. Provides a copy of IPN/PRN agreement to EAP.
4. Provides the employee with EAP contact information.
5. Reviews and witnesses "Conditional Work Agreement" with the employee.
6. Reviews and witnesses the "Authorization for Disclosure of Medical Information" form with the employee.
7. Provides EAP with a copy of the signed "Authorization for Disclosure of Medical Information" form.

#### **Employee Assistance Program (EAP)**

1. Contacts IPN/PRN to monitor compliance.
2. Reports compliance status to Employee Relations.

# DEFINITIONS

**Impaired Employee:** An impaired employee is characterized by the inability to carry out duties and responsibilities in a reasonable manner consistent with acceptable job standards (i.e., nursing standards) due to the use of mood-altering substances.

**Intervention Project for Nurses (IPN):** This organization is responsible for overseeing chemical dependency issues for all nurses (i.e., RN, LPN, CRNA, ARNP, and nursing students).

**Professional Resource Network (PRN):** Organization responsible for overseeing chemical dependency issues for non-nursing licensed healthcare professionals, including physicians, dentists, pharmacists, podiatrists, psychologists, chiropractors, physical therapists, social workers, mental health counselors, marriage/family therapists, respiratory therapists, occupational therapists and dieticians, speech language pathologists and audiologists, medical physicists, massage therapists, athletic trainers, licensed midwives, nursing home administrators, certified radiologic technologists, and clinical laboratory personnel.

*The Intervention Project for Nurses and the Professional Resource Network are arms of the Agency for Healthcare Administration and are authorized by Florida State legislation to provide an alternative to disciplinary action for licensed healthcare workers who are unsafe to practice due to use of drugs and/or alcohol.*

## POLICY OWNER

Human Resources

If any of the statements contained in this policy conflict with any verbal statements or agreements made by any representatives of MHS, then the statements contained in this policy shall control the outcome of any such conflict.

Memorial reserves the right to modify this policy in whole or in part, at any time, at the discretion of the Healthcare System or as required by applicable law, regulation, or governing/accrediting body.

Employees who have questions regarding information contained in this policy should contact the Human Resources Department.

## ONLINE LOCATION

All policies are subject to amendment. The most recent version of this policy can be accessed internally online: <https://mhs-system.policystat.com/>.

This Policy / Guideline / SOP is intended to provide Memorial health care professionals with guidelines for addressing the subject matter herein. This Policy / Guideline / SOP is not meant to be a substitute for the standard of care or to restrain professional judgment or opinion.

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## Attachments

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[!\[\]\(08a82c22d89d6b027ff69762ad096586\_img.jpg\) E-31 Employee Recovery Program - Conditional Work Agreement - July 2024\\_7.1.2024.docx](#)

[!\[\]\(35e4f762fc1cfea5610d92e2d225d5b4\_img.jpg\) E-31 Employee Recovery Program - Initial Treatment Agreement - July 2024\\_7.1.2024.docx](#)

## Approval Signatures

Step Description	Approver	Date
Policy Owner	Elizabeth Kang: Human Resources Compliance Manager	06/2024

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## Applicability

Memorial Healthcare System

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