



FAMILY MEDICAL LEAVE  
For Employees of Indiana State Government

# FML and Surgery

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November 2015



# Important to Note

## Not all surgeries or medical procedures will be covered by Family Medical Leave

- For example, cosmetic surgery is not a serious health condition unless inpatient hospital care is required or complications develop or if the treatment is related to a medical condition that otherwise meets the definition of serious health condition under the FMLA.
- Short term conditions for which treatment and recovery are brief, such a routine oral surgeries or out-patient surgical procedures with brief recuperating periods generally do not qualify for family medical leave coverage.



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# Advance Notice

## Family-Medical Leave

- For a planned surgery, an FML request must be submitted at least **30 days** prior to the start of the leave
- If the need for surgery is not determined 30 days in advance, you must submit an FML request on the **same or next business day** you learn of the need for surgery.
- If the date for surgery is changed, you must immediately notify your supervisor and HR office as well as the FML Line at 317.234.7955, so the dates of your leave can be amended to reflect the new dates.

## Short/Long Term Disability Plan

- If your incapacity may last more than 30 calendar days, and you have been a full-time employee for at least 6 consecutive months, you should also apply for the State's Short/Long Term (S/LTD) Plan.
  - This does not apply to caring for a family member.
  - If you do not submit the application before the 30<sup>th</sup> day of the elimination period, you will not receive benefits until that application is submitted, and those benefits will not cover any time prior to submission.



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# Prior to Incapacity

- Discuss with your supervisor how your work will be handled in your absence.
- Confirm your health care insurance coverage for the procedure
- Get all your FML paperwork completed and submitted to the proper authority
  - Submit your FML Request in your Peoplesoft Self Service account.
  - Print FML Certification of Healthcare Provider forms <http://www.in.gov/spd/2397.htm>.
    - Be sure to get the correct form: If for yourself, use the form with “Employee” in the title. If your spouse, child, or parent is having surgery, use the form with “Family Member” in the title.
  - Get the completed Certification form from your health care provider and Upload all four pages to your FML request on PeopleSoft.
  - Notices will be sent to you at the email address you list in PeopleSoft.
- Get all your S/LTD paperwork completed and submitted to the proper authority
  - Forms can be printed from <http://www.in.gov/spd/2397.htm>.
  - Application should be faxed to third party administrator – JWF Specialty Co., Inc. at the number on the forms.
  - Disability notices will be sent to you by snail mail in the US Postal Service.



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# During Incapacity

- Take care of yourself.
- Submit any new medical information related to how long you'll be incapacitated (or caring for your spouse, child, or parent).
  - i.e, whether you can return to work sooner than expected or need additional time off.
  - Submit documentation to both the State Personnel Department's FML administrators *and* JWF Specialty, Inc. if your absence is covered by both programs.
- Submit any medical information about any restrictions that might need to be accommodated when you return to work.
  - Examples could be a need to return to work part-time for awhile or limits on lifting heavy objects or climbing stairs.



# Returning to Work

- **Notify the HR Office before you report for duty**
  - **Provide a Release to Return to Work before performing any duties.**
    - Can be on the physician's form or letterhead
    - Release must clearly identify whether there is a full release to perform all duties or if there are restrictions and the applicable time period for restrictions
  - **Discuss any restrictions and reasonable accommodations that might be needed.**
- **Review with your supervisor any policy or practice changes that occurred during your absence and get your assignment(s).**
- **Review your timesheet information to confirm that your absence was properly coded in the attendance reporting system.**



# Helpful Tips

- Put your name and agency on the front of the CHCP form.
- The CHCP must be filled out completely by the health care provider.
  - The CHCP must include a description and/or details of the medical necessity for leave and the estimated frequency and duration of the absences.
  - Incomplete forms will require clarification which will delay the review and approval process.
  - Proper and timely completion of the required forms should reduce the number of requests for additional information and recertification needed during the fiscal year.
- Timely submission of the documents is the employee's responsibility, not the health care provider's.
- Failure to submit appropriate documentation and **receive approval** may result in unauthorized leave.
- Second and third opinions may be required.



# Summary

- An informational surgery packet has been developed to assist every step of the way. See the document at <http://www.in.gov/spd/2397.htm>.
- Other presentations have been posted on this website for additional FML information.
- The State Personnel Department's Standardized Policies on various types of leaves can be reviewed at <http://www.in.gov/spd/2396.htm>.



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# Have a Question?

## Call the SPD FMLA Line

317-234-7955

or toll free

1-855-SPD-INHR

(1-855-773-4647)



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