



Leadership | *Tip sheet*

# Formal/Supervisory Referrals: Frequently Asked Questions

## **Why does the employee have to sign a release of information form?**

Confidentiality is an essential part of an EAP. Those who utilize the program must be able to trust that the personal information they share with the EAP counselor will not be shared with other people. In addition, there are laws to protect health care privacy; the Health Insurance Portability and Accountability Act (HIPAA) has specific rules regarding the maintenance and disclosure of individuals' medical records and personal health information. For these reasons, it is necessary to have the employee sign a release of information form so that the EAP can report compliance information to the designated company contact.

## **What information will I receive?**

On the release, there are three bullet points describing what information can be released to the designated company contact:

- Information regarding contact with Lucet EAP.

- Information regarding participation and cooperation with Lucet EAP's recommendations.

- Information regarding attendance at scheduled appointments and compliance with recommendations.

## **Why such limited information?**

It is important that employees see the EAP as a helpful resource, and that they feel comfortable utilizing the program. They need to trust that unnecessary personal information about them will not be shared with their employer.

Limiting information provided also protects the employer. If the employer has knowledge of sensitive information about an employee and then has to make an administrative decision regarding that employee, such as disciplinary action, the employer may be viewed as discriminating against the employee. For this reason, it is best for the EAP to provide information about participation/non-participation to the designated company contact. This allows managers and HR to remain focused on the employee's performance.

## **Why is the employee asking for time off of work?**

The MCS clinician works to locate appointments and programs outside of work hours. If appropriate, the employee can continue to work, however, there may be times where an employee may need a more intensive program. If this occurs, the MCS clinician will encourage the employee to contact HR to inquire about options for taking time off from work.

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### **How often will I receive updates from the MCS clinician?**

Updates can differ for each employee, even if two employees initially present with similar issues. Each employee is assessed, and recommendations are made for their specific needs. After the MCS team receives the signed release of information, you will be updated on the employee's first contact.

The following updates can range from a few days up to a few weeks, depending on whether the employee is continuing to have work performance issues and whether the employee is following EAP recommendations.

### **What if the employee is having performance issues during a management/supervisory referral?**

It is important to document and discuss any continuing performance issues with the employee as well as update your MCS contact regarding any concerns. Timely feedback gives the employee an opportunity to use the skills developed in counseling. The MCS clinician will follow up with the employee or the treatment provider as appropriate. The EAP is a tool for the employee to utilize to help him/her make positive changes. It is up to the employee to apply the skills learned from participation in the program.

### **What if the management/supervisory referral has concluded and the employee continues to have poor performance?**

If the referral has been concluded due to employee completing all of the requirements of the referral but there are ongoing or problematic workplace behavior or performance concerns, this should be documented in the employee's personnel file and discussed with the employee. Also, your company's disciplinary policies should be referenced to implement next steps. The MCS team is always available for further consultation as needed.

## ◆ Your well-being is our priority.

Lucet EAP provides confidential support, counseling services and resources to help you overcome life challenges and live a happy, balanced life.

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