



# County Technical Assistance Service

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## Insurance and Sick Leave

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Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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## Insurance and Sick Leave

**Reference Number:** CTAS-2030

### Insurance

Employers are not required to provide to individuals with disabilities additional insurance other than similar coverage provided to non-disabled individuals. If health insurance coverage is limited to a certain number of treatments per year and an employee with a disability needs more treatments, under the ADA the employer is not required to pay for the additional treatments. Also under the ADA, an employer is not required to change insurance coverage if the current plan excludes or limits coverage for a new employee's pre-existing condition. 29 C.F.R. § 1630.5.

### Sick Leave

Under the ADA an employer may—

- Request a doctor's note to justify an employee's use of sick leave.
  - Request periodic updates when an employee is on extended leave because of a medical condition and has not specified a return date or has requested additional days of leave.
  - Make a disability-related inquiry or require a medical examination when an employee who has been on extended leave for a medical condition comes back to work if the employer has a reasonable belief that the employee's present skill level is impaired by the medical condition.
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