



# Overview: Management Referral Process

## Mandatory Management Referral

As part of the Employee Assistance Program (EAP), the employer may require the employee to seek assistance through the EAP for an assessment and possible treatment plan recommendations from a provider.

Mandatory referrals may result from the following: (this is not an exhaustive list):

- a positive drug-screen in violation of a drug-free workplace agreement
- a serious policy violation
- if the employee exhibits unusual behavior in the workplace that is affecting their ability to perform their job responsibilities

A Management Referral (MR) may be necessary when an employee's work performance becomes a concern. Deteriorating performance is best detected when measured relative to performance expectations. A supervisor may notice:

- a gradual trend or pattern of deterioration
- immediate deterioration as the result of a dramatic work or personal issue at work or home
- a single event or instance of company policy violation, workplace violence, or sudden change resulting in abnormal and potentially dangerous behavior

A Management Referral gives the employee an opportunity to improve their performance and retain their job.

## Items to consider when implementing the Management Referral process through an EAP:

- Consult with the Americans with Disabilities Act (ADA) and an HR expert to be sure you are following ADA guidelines as they pertain to diagnosis and reasonable accommodations.
- BPA Health recommends an employer have a written policy regarding the use of the EAP as part of the MR process. In some cases, employers have policies that state continued employment is contingent upon the employee's compliance with the EAP provider's recommendations.
- Utilizing approved Human Resource (HR) and Company policies ensures a Mandatory Referral is not used at the supervisor's discretion; this referral should be applied consistently in accordance with company policy and applicable state and federal law.

## Steps to Engage a Mandatory Referral Through BPA Health

### STEP 1 Supervisor/HR contacts BPA Health via phone or online form

**By phone:** Supervisor or HR calls our toll-free number, [1-800-726-0003](tel:1-800-726-0003). Be prepared to answer a few questions about the employee and employer such as contact information and reason for referral. The Intake Specialist will explain the next steps as well as email the information and additional documentation needed to the Supervisor or HR.

**Or Online:** Supervisor or HR completes the [Management Referral Intake](#) online form via the confidential platform. The online form gathers the needed information to initiate the process. Additional links to this overview document and release/agreement forms are all accessible via the online intake form. The online form includes specific areas to upload additional documents.

### STEP 2 Signing of Release and Agreement Forms

The Supervisor/HR meets with the employee to discuss disciplinary options. During this meeting all agreements pertaining to the MR will be discussed and the [Authorization for Use & Disclosure \(U&D\)](#) will be

signed by the employee (\*\*if the employee is in agreement) and the witness (usually the Supervisor/HR representative named on the U&D). The U&D is an agreement between the employee and BPA Health to allow the release of protected health information.

\*\*If the employee refuses to sign the U&D, BPA Health will not release any information to the supervisor regarding the employee's use of the MR.

### **STEP 3 Employee Contacts BPA Health**

The employee is responsible for contacting BPA Health within the predetermined amount of time defined by the Supervisor/HR. Once contact is made, the Intake Specialist will complete the remainder of the intake process with the employee's information.

The Intake Specialist will explain the benefits, responsibilities and refer the employee to an EAP Provider. The EAP Provider is chosen based on the presenting problem, geographic location, and availability.

### **STEP 4 Reporting Process**

The Intake Specialist monitors the employee's compliance with the EAP Provider's recommendations. Information is reported back to the supervisor as outlined in the previously signed release forms and generally includes compliance information only. Reporting takes place after each appointment. Noncompliance will be disclosed and discussed with the supervisor immediately.

### **STEP 5 Provider Recommendations**

The Provider may require several visits before recommendations are made to the employee for ongoing care. Referrals beyond the initial EAP sessions or referrals to a provider outside the EAP network are subject to the employee's health plan benefits or self-pay.

## **STEP 6 Compliance Report and Closure**

The Intake Specialist will notify the supervisor/HR by email, unless otherwise noted, once the employee has completed the recommendations given by the EAP Provider. BPA Health will also send a one-page Compliance Report to the supervisor/HR addressing the employee's compliance with the treatment recommendations. The case is closed compliant or non-compliant upon release from the provider and notification to the employer.

## **Department of Transportation (DOT) Resources**

Employees involved with a DOT referral do not fall under the scope of a Management Referral with BPA Health. In the case of DOT employees, be sure you are following the DOT agency-specific regulations and the 49 CFR Part 40 procedures for your DOT drug testing. For questions about the regulations that may apply to your company, you can see the following resources for more information.

Additional Resources:

- [DOT Modal Administration](#)
- [DOT Substance Abuse Professionals Listings](#)
- [SAP Evaluation Online Scheduling](#)
- <https://www.transportation.gov/odapc/part40/40-287>