

Department of Health & Human Services  
Public Health Service  
Indian Health Service  
Bemidji, Minnesota 56601

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Bemidji Area Indian Health Service Circular No. 02-01

ERRATA NOTICE FOR BEMIDJI AREA IHS CIRCULAR NO. 01-08

Information contained on page three of the Bemidji Area Indian Health Service Circular No. 01-08, "Employee Assistance Program", dated 12/18/00 has been revised. Please discard page three and replace with pages three and four.

A copy of pages three and four are attached to this Errata Notice along with the EAP "Statement of Client Understanding".



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Department of Health & Human Services  
Public Health Service  
Health and Human Services Administration  
Bemidji Area Indian Health Service  
Bemidji, Minnesota

Bemidji Area Indian Health Service Circular NO. 01-08

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**Employee Assistance Program**

SEC.

1. Purpose
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**1. PURPOSE**

The Employee Assistance Program (EAP) was established to assist employees and employers in resolving job performance issues, problems related to alcohol and/or drug abuse, personal issues, and certain related family issues. The overall goal is one of maximizing and restoring productivity of Bemidji Area employees through early intervention. The EAP is staffed by experienced counselors who are available to discuss problems in a confidential, helpful manner.

Effective use of EAP services can bring reduction of the economic and personal costs associated with delayed action or from relying solely on standard disciplinary methods. EAP services include assessment, brief counseling, referral, consultation to employee's supervisors, training of supervisors and managers, orientation and education for employees.

**2. POLICY**

A. The Bemidji Area IHS Employee Assistance Program encompasses federal employees at the following locations:

- ◆ Bemidji Area Office
- ◆ Rhinelander Field Office
- ◆ White Earth Health Center
- ◆ Red Lake Service Unit
- ◆ Leech Lake Service Unit.

The EAP provides information or assistance 24 hours a day, 7 days a week, 365 days a year. EAP can be reached by calling (800) 222-0364.

B. The Bemidji Area Employee Assistance Program policy will be guided by the following policy precepts:

- (1) Bemidji Area Indian Health Service recognizes that mental health, emotional disorders, and alcohol or drug abuse are treatable health problems.
- (2) Employees have a primary responsibility for meeting expected job performance and personal conduct requirements. Employees, therefore, must initiate personal action to become aware of danger signs associated with alcohol or drug abuse, mental illness, and family conflicts.

which can have adverse effects on conduct and job performance and must voluntarily seek assistance in resolving such issues.

- (3) The Bemidji Area Employee Assistance Program policy is established for the primary purpose of maintaining a healthy and productive work force. It is not intended to replace supervisory responsibilities for addressing job performance issues arising from factors other than alcohol or drug abuse, emotional/mental disorders, or family problems.
- (4) Employees who suffer from mental or physical problems as a result of the abuse of alcohol or other drugs are entitled to the same consideration and assistance that is extended to employees having any other illness or health problems.
- (5) Supervisors carry a heavy responsibility for attaining knowledge and understanding of factors which can contribute to reduced job performance and personal conduct as these relate to alcohol/drug abuse, emotional and mental disorders, and certain family conflicts. Supervisors are expected to apply such knowledge in appraising employees when job performance or conduct issues develop. Supervisors are expected to follow the following protocol:
  - a. Offer referral to Employee Assistance Program as a first step when indicators as outlined previously appear to be present.
  - b. Invoke regular disciplinary/adverse action procedures when appropriate.
  - c. Employees referred to Employee Assistance personnel for initial screening/assessment will be granted administrative leave for their appointments under the EAP program (limit 5 sessions per event). All subsequent visits must be charged to the employee as sick leave, annual leave or leave without pay.
- (6) The use of EAP services will in no way jeopardize an employee's job security or promotional opportunities. Formal referrals and other EAP related materials will not be put in the employee's official personnel folder.
- (7) All Records established and maintained by the Employee Assistance Program will be held in strict confidence and preserved in accordance with the Alcohol Abuse and Alcoholism Prevention, Treatment and Rehabilitation Act Amendments of 1974, Public Law 93-282, the Privacy Act of 1974, and Public Law 93-579. As an external EAP, specific records of employee contact and use remain the property of Federal Occupational Health and are not owned or maintained by IHS.

### 3. PROCEDURES

- A. Employees can access Employee Assistance Services through two methods: 1) referral by a supervisor or 2) self-referral.

#### (1) Supervisory Referral

- a. Supervisors, through the regular monitoring of employee productivity and conduct, initiates normal personnel procedures when a case of deteriorating performance is evident. This is accomplished by supervisor-employee conferences and appropriate performance counseling. This is considered an *informal referral*. Anyone in the agency is able to give an *informal referral*.
- b. If the process outlined above fail to correct the problem, and/or there is evidence of personal health issues involved in the deteriorating performance, the supervisor should inform the employee of the availability of Employee Assistance services and that a referral is in order. (If supervisors have doubt regarding the basis for such a referral, they are advised to contact an Employee Assistance Counselor.) This process may result in a written recommendation to seek EAP services. Such a written referral is considered a *formal referral*. Documentation of such a referral remains in the supervisor's desk file and is purged as with other information. Formal referral is voluntary and does not go in the personnel file.

(2) Self-Referral

- a. Employees can request assistance from the EAP whenever they believe a situation of deteriorating job performance is developing or a personal issue exists which could have an impact on a job performance.
- b. Employees can access the program directly and obtain a referral to a local counselor by calling (800) 222-0364.
- c. Utilizing EAP during non-working hours - Unless the employee chooses to inform his/her supervisor or signs a Release of Information (RIO), EAP counseling will remain confidential.

B. Program Requirements when Administrative leave is authorized by a supervisor to attend a series of session:

- (1) Review EAP "Statement of Client Understanding"
- (2) Notify supervisor in advance of each session to obtain pre-approval for administrative leave to attend
- (3) Provide supervisor with a confirmation of attendance (date and time period) for each session
- (4) Under the federal EAP program, employee's are entitled to a total of 6 counseling sessions (an initial screening/assessment plus 5 subsequent sessions) at no personal cost when a request is made to the supervisor.

C. Eligibility and Cost

- (1) Eligibility - EAP is available to all IHS federal employees, regardless of the nature of their personal problems. Supervisors and managers who need assistance in dealing with the performance and/or conduct of troubled employees, or in dealing with interpersonal relationships in a work group, are eligible for EAP. On an emergency basis, EAP is available to contract employees, and under the employee's benefit, a family member (spouse or dependent) may also be seen.

\*\* A family member is defined as an employee's spouse and parents thereof; children, including adopted children, and spouses thereof; parents; brothers and sisters, and spouses thereof, and any individual related by blood or affinity whose close association with the employee is the equivalent of a family relationship.

- (2) Cost - There is no cost to employees, eligible family members or supervisors for EAP services. However, if an employee accepts a referral to an outside community resource, the employee is responsible for the cost of that treatment, as with any other medical treatment. The Employee Assistance counselor will work with the employee to try to identify the best available outside treatment program and services in line with the employee's individual finances. The employee will be required to use sick or other available leave to cover attendance to services referred by the EAP, out of the EAP.

Costs for outside treatment and professional services, which can result in personal expense, may be covered by your Federal Employee Health Benefit Plan or other private insurance.

#### 4. Methods of Provisions

- A. The counselor completes an intake for each referral, obtaining a history related to the problem and determines whether the problem fits within the scope of the program. Referrals out of the EAP program may be made for physical exams, psychological testing, or other more intensive assessment as needed. Such referrals may be submitted to the employee's medical insurance company as stated above.

5. Confidentiality

- A. The EAP is limited by confidentiality laws in providing information and feedback to the supervisor. The purpose of the EAP is to give employees the opportunity to help themselves cope with problems which are adversely affecting job performance and/or conduct. The details of the employee's discussion with the counselor may not be released to anyone without the employee's written consent.



Kathleen Annette, M.D.  
Director  
Bemidji Area Indian Health Service

# EAP

## Employee Assistance Program STATEMENT OF CLIENT UNDERSTANDING

The EAP is a confidential and voluntary program that provides assessment, short-term counseling, and referral services for a wide range of personal and job-related concerns. The following provides an overview of federal law that governs the confidentiality and safe-keeping of client records:

- **Privacy Act.** The Privacy Act, 5 U.S.C. § 552a, protects the privacy and limits the disclosure of all records maintained by the EAP. The EAP maintains records to document assessment, intervention, and follow-up activities.
- **Confidentiality of Alcohol and Drug Abuse Records.** Federal law, 42 U.S.C. § 290DD-2, limits even further any disclosure of information that identifies a client as an alcohol or drug abuser.

**Disclosure of Information:** Under the Privacy Act and other applicable law, the EAP may disclose specific relevant information in certain limited circumstances, including the following:

- If the client consents in writing.
- If the client poses a danger to self or others, or threatens to commit a serious crime that would cause substantial property damage.
- If there is a suspicion of child or elder abuse or neglect.
- If the disclosure of information is allowed by a valid court order.
- If the disclosure is made to medical personnel in a medical emergency.
- To qualified personnel for research, audit, or program evaluation.
- When a direct supervisor requires confirmation that the client has made or kept EAP appointments during regular duty hours or sick leave.
- For purpose of defending an agency or its employees in litigation.

**Coast Guard Active Duty Disclosure:** The Coast Guard, in its mandate to provide a safe work/community environment, does not tolerate disruptive, violent or threatening behavior on the part of its membership. While the Coast Guard's Work-Life (W/L) programs, specifically the Employee Assistance Program and Family Advocacy Program, are not punitive in nature, when this type of behavior is encountered, the EAP counselor must disclose this information to the cognizant Coast Guard W/L staff. This staff includes the Employee Assistance Program Coordinator (EAPC), Family Advocacy Specialist (FAS), and/or the Family Resource Specialist (FRS). Unless the facts clearly indicate that disciplinary action is warranted by the command, the purpose of disclosure to the W/L staff, is to ensure that they have the information required to provide appropriate services and case management.

I understand that the initial EAP assessment is free of charge. If short-term counseling is determined to be clinically appropriate, the EAP counselor or local affiliate will also provide this service at no cost to me. However, I acknowledge and understand that **Federal Occupational Health (FOH)**, its EAP contractors, and its customer organizations are not responsible for the treatment costs and / or services for which I may be referred beyond the EAP counselor or local affiliate counselor. I understand that it is my sole responsibility to pay for all such services including all charges not covered by insurance plans.

I have read the foregoing Statement, and I understand and agree to it.

Client Name \_\_\_\_\_  
(Please Print)

Client Signature \_\_\_\_\_ Date \_\_\_\_\_

EAP Counselor \_\_\_\_\_ Date \_\_\_\_\_

If you have any questions or comments, please consult your counselor  
or call the EAP 24-hour toll-free telephone  
1-800-222-0364- or TTY 1-888-262-7848