



LEAVE MANAGEMENT SOLUTIONS
www.LeaveManagementSolutions.com

CFRA Exceeding Medical Certificate - Advise to Cure or Seek Second
Opinion - Medical Certificate Did Not Cure - WC – Training Narrative
(CAA2208)

Purpose: Use to cure a medical certificate received after sending a curing letter and the medical certificate still does not cure the issue. This letter also notifies the employee that Workers' Compensation and CFRA leaves are completely separate from each other.

After you have downloaded the form from our webpage, save it to your computer.

We suggest grouping the letters/forms by leave type, and then have separate folders for the letters and forms. You may want to organize it like our Table of Contents so you can easily cross-reference our list with your folders to easily determine what letters you have or do not have.

Once the document is saved, open it so you can create your company template by updating all the **blue highlights** within the document.

The **yellow highlights** are employee specific details and will be changed with individual situations.

To update the blue highlights, begin by executing a "Find and Replace" for the word "Company." Replace "Company" with your organization's business name.

Enter your name and title.

You have successfully completed your template! Save it so it can be used when customizing the yellow highlights.

The first few yellow highlights include the current date and the name and address of the employee. Date the letter the day it will be mailed to the employee.

- Enter the date of the clarification letter sent to the employee.
- Enter the date you received the medical certificate (this may or may not be the same date on the document, so be sure to indicate the date it was received somewhere [preferably with a "received" stamp or initials with date]). Then enter the date of the medical certificate.



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- List the restrictions and/or time off request verbatim.
- Enter the date range used to analyze the employee's usage (EX: June 1, 2013 through September 30, 2013). Next enter the amount of time the usage has been exceeded by (1 day per month, 3 days per month, 1 day per week, etc.).
- Enter the date or dates of each medical certificate(s) in question.
- Enter the due date for the clarification, which will be seven (7) days from the date of the letter.

Specifically list the items that need clarification on the medical certificate, including sections that are blank or questions that need to be clarified regarding what functions the employee can or cannot perform.

Enter the employee's job title.

Document if the leave is ongoing, intermittent or reduced work schedule. Delete those that are not applicable.

Under the enclosures section:

1. California Family Rights pamphlet
2. California Family Rights Act (CFRA) Medical Certification form. Enter the date of the enclosed medical certificate. List each separately if there is more than one.
3. Include the most current Job Description. Ensure the employee's title matches that of the Job Description. Be sure to include the Job Description so the health care provider can use it when completing the FEHA/ADA Medical Certificate. You do not want the employee to tell the health care provider what the job entails.

Once the letter has been completed, we suggest reading through it or having someone else proofread it to be sure that it makes sense and sections weren't missed. We also suggest sending the letter via regular and certified or return receipt mail so that there isn't any question that the employee has received the letter.



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Maintain a copy of the letter sent in the employee medical file, and if you are utilizing our Medical Leave Management (MLM) timeline (GE1007), update the timeline with the title of the letter and the date sent along with any other important dates such as a medical certificate expiration date, due dates, benefit expiration, etc.

It's important to document ALL conversations with the employee as well as maintaining a record of all documents sent to and received from the employee on the MLM timeline.