

# General Order Q-23



Subject		
MAINTENANCE PROGRAM FOR LIMITED/LIGHT-DUTY PERSONNEL		
Distribution	Date Published	Page
"A"	4 April 2005	1 of 2

## POLICY

It is the policy of the Baltimore Police Department to maintain an efficient and effective medical leave system, and to closely monitor sworn members whose employment status is reduced from unrestricted full-duty to temporary limited/light-duty status due to medical circumstances. **There are no permanent limited/light-duty positions within the Department.** A small number of limited/light-duty positions are maintained to accommodate temporary assignment of limited/light-duty members, and those members under disciplinary investigation, not to exceed twelve (12) months. All sworn members of the Department are required to be capable of performing the full duties and law enforcement responsibilities of a sworn member to include the ability to make forceful arrests, to drive vehicles under emergency conditions, and to qualify with a weapon.

## PROCEDURE

All sworn members determined by the Public Safety Infirmary (PSI) to be **unable to fulfill the full duties of a sworn member** will be transferred to the Personnel Section in Locator 408 until such time as they are able to return to a full duty status. Upon return to full-duty, the member will return to the assignment held prior to their transfer to the Personnel Section.

The Personnel Section will provide all necessary supervisory overview, administrative support and personnel assignments to members temporarily placed into Locator 408.

Any sworn member, who after examination by the PSI has been determined to be medically unqualified for full-duty, will have twelve (12) months from the date of determination to complete the appropriate procedure to return to full-duty status. However, in the case of "line-of-duty" injuries or illnesses, PSI will not make a determination regarding personnel deemed permanently medically unqualified to return to full-duty prior to twelve (12) months from the original date of injury.

If a sworn member is notified that PSI has determined that the member is permanently medically unqualified to return to a full-duty status after examination or after the review as provided for in the following paragraph, said member must file a completed application for retirement pension benefit within ninety (90) days from the date of notification of said determination. Failure to file the required application for retirement pension benefit will result in the member being involuntarily separated from the Department due to that member's inability to perform the requirements of a full-duty police officer. Any sworn member who files a completed retirement pension benefit application within ninety (90) days of actual notification of PSI's determination of a medical disqualification and who does not voluntarily withdraw said application, shall not be involuntarily separated from the Department until such time as a decision has been rendered on the sworn member's application for retirement pension benefit. If a member is awarded a retirement pension benefit, the member shall retire.

Should the Department receive written certification from a member's physician that the member is (i) qualified to return to full-duty status, or (ii) will be qualified to return to full-duty status within a reasonable period of time, PSI shall review the written certification. Upon review, if PSI agrees with the physician's certification, the member will be returned to full-duty. However, if PSI disagrees with the certification, a conference will be conducted by PSI with the sworn member and the sworn member's physician in an attempt to resolve the difference of medical opinions. If the conference fails to produce an agreement regarding the member's status, the member will have ten (10) days to schedule an examination by a qualified independent physician as agreed upon by PSI and the sworn member's physician or a physician selected by the sworn member with the concurrence of PSI. Once the independent physician is selected as described herein, PSI shall refer the sworn member to that physician for an evaluation of the sworn member's qualification to return to full-duty status. Upon receipt of the results of the independent physician's examination, PSI shall make a final determination regarding the member's qualification to return to full duty status.

In the event that no retirement benefit is granted to the sworn member that PSI has determined is permanently medically unqualified to return to full-duty after examination, that member shall be retained as a police member within the Department in the police member's personnel classification. Furthermore, that member shall remain in the Fire and Police Employees Pension System until such time as the member shall qualify for a service retirement benefit equivalent to fifty percent (50%) of that member's highest eighteen (18) months salary. However, in the event that the sworn member suffers a subsequent injury or illness that may be medically disqualifying, nothing herein shall limit the Department's authority to require the member to be examined by PSI to determine whether the member is medically qualified to be a sworn member. This paragraph shall not apply if the sworn member has less than five (5) years of creditable service with the Department.

The Police Commissioner reserves the right in rare circumstances to temporarily extend limited light-duty assignments beyond twelve (12) months, when such an extension is in the best interest of the Department as determined at the sole discretion of the Police Commissioner.

### **COMMUNICATION OF POLICY**

Supervisors shall be responsible for communication of this Order to their subordinates and to ensure compliance. This Order is effective on the date of publication and is to be read at all roll calls for five consecutive days and posted on Departmental Bulletin Boards.

***By Order Of Leonard D. Hamm, Police Commissioner***



## General Order Q-23

Subject		
<b>MAINTENANCE PROGRAM FOR LIMITED/LIGHT-DUTY PERSONNEL</b>		
Distribution	Date Published	Page
<b>“A”</b>	<b>10 May 2010</b>	<b>1 of 1</b>

### **AMENDED INFORMATION**

#### *By Order of the Police Commissioner*

Members shall make the following changes to General Order Q-23 “Maintenance Program for Limited/Light-Duty Personnel,” dated 4 April 2005:

On page 1 of 2, under the section entitled “**PROCEDURE**,” delete the entire contents of paragraph 3 and replace with the following:

Any sworn member, who after examination by the PSI has been determined to be medically unqualified for full-duty, will have twelve (12) months from the date of determination to complete the appropriate procedure to return to full-duty status. However, in the case of “line-of-duty” injuries or illnesses, PSI will not make a determination, regarding personnel deemed permanently medically unqualified to return to full-duty, prior to twelve (12) months from the original date upon which PSI determined the member to be unqualified for full-duty.

#### **COMMUNICATION OF POLICY**

Supervisors shall be responsible for communication of this amendment to their subordinates and to ensure compliance. This directive is effective on the date listed herein, and is to be read at all roll calls for five consecutive days and posted on Departmental Bulletin Boards.