



National Capital Region Medical Directorate ADMINISTRATIVE INSTRUCTION



NUMBER 1426.01

AUG 24 2015

Change 2, Effective December 14, 2016

PERS

SUBJECT: Employee Assistance Program (EAP)

References: See Enclosure 1

1. PURPOSE. This Administrative Instruction (AI) in accordance with (IAW) the authority in References (a) through (e):

a. Establishes responsibilities and prescribes procedures for implementation of the EAP for civilian employees assigned to National Capital Region Medical Directorate (NCR MD) IAW (References (g) through (j)).

b. Cancels Joint Task Force National Capital Region Medical Instruction (JTF CAPMED-1) 1426.01 (Reference (f)) and reissues it to update policy and responsibilities.

2. APPLICABILITY. This AI applies to the NCR MD, Walter Reed National Military Medical Center to include the Dilorenzo Clinic and the Tri-Service Dental Clinic, Fort Belvoir Community Hospital to include the Dumfries and Fairfax Clinics, and the Joint Pathology Center.

3. POLICY. It is NCR MD policy that:

a. Civilian employees are eligible for cost-free and confidential assessment, short-term counseling and follow-up services to resolve personal and/or work-related problems that may affect attendance, work performance, and/or conduct. At some point in their careers, many employees will experience a problem that will affect a major aspect of their lives. Examples of these are: misuse of drugs or alcohol, divorce, surviving natural disasters, etc. When feasible, the EAP may also be extended to immediate family members of civilian employees. Employees are authorized **six sessions per issue and** up to three hours (**include travel time**) of administrative leave per counseling session. Personal leave will be used if employees are referred to outside agencies for additional counseling. There are no on-site counselors. Civilian employees must contact a Federal Occupation Health (FOH) EAP Counselor at 1-800-222-0364.

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b. The EAP also plays a key role in educating employees on a variety of health and assistance topics such as Human Immunodeficiency Virus (HIV)/Acquired Immune Deficiency Syndrome (AIDS), money management, parenting, caring for aging parents, stress management, and selecting quality child care. Employees who are infected with HIV-1, or have AIDS and/or related medical conditions will be treated with dignity and in the same manner as any individual with a serious and/or potentially life-threatening condition.

c. Occasionally, the EAP Counselor will be called upon to assist with the mental health emergencies of non-Federal employees (e.g., contract employees working onsite, spouses or partners of federal employees recently lost in the line of duty, or individuals who are "federalized" for a period of time to respond to national crises or to serve on a federal jury).

4. RESPONSIBILITIES. See Enclosure 2

5. PROCEDURES. See Enclosure 3

6. RELEASABILITY. **Cleared for public release.** This AI is approved for public release and is available on the Internet from the NCR MD Website at www.capmed.mil.

7. EFFECTIVE DATE. This AI:

a. Is effective immediately for non-bargaining unit employees. It will go into effect for bargaining unit employees upon the completion of statutory bargaining obligations.

b. Will expire 10 years from the date of publication if it has not been reissued or cancelled before this date in accordance with DoD Instruction 5025.01 (Reference (1)) and removed from the NCR MD Website.


R. C. BONO
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Director

Enclosures

1. References
2. Responsibilities
3. Procedures for Program Administration
4. Sample FOH NCR MD EAP Information Sheet
5. Sample FOH EAP Statement of Understanding

Glossary

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ENCLOSURE 1

REFERENCES

- (a) Deputy Secretary of Defense Action Memorandum, "Implementation of Military Health System Governance Reform," March 11, 2013
- (b) DoD Directive 5136.13, "Defense Health Agency (DHA)," September 30, 2013
- (c) National Capital Region Medical Directorate (NCR MD) Concept of Operations, September 10, 2013
- (d) Deputy Secretary of Defense Memorandum, "Authority for Joint Task Force National Capital Region Medical (JTF CapMed)," February 7, 2012
- (e) Office of the Assistant Secretary of Defense Health Affairs Memorandum, "Legal Effect of Joint Task Force Guidance after October 1, 2013," October 4, 2013
- (f) JTF CAPMED- 1 1426.01, "Civilian Employee Assistance Program (CEAP)," January 11, 2012 (*hereby cancelled*)
- (g) Section 792 of Title 5, Code of Federal Regulations (Federal Employees Health and Counseling Programs)
- (h) DoD Instruction 6485.01, "Human Immunodeficiency Virus," October 17, 2006
- (i) Chapter 1, Part 2 of Title 42, Code of Federal Regulations (Confidentiality of Alcohol and Drug Abuse Patient Records)
- G) Chapter 26 of Title 42, United States Code (also known and hereby referred to as "The Americans with Disabilities Act"), as amended
- (k) Public Law 79-658 (5 U.S.C.§7901), 91-616 (42 U.S.C. §2900aa-1), and 92-255, Executive Order 12564, "Drug Free Workplace Act," and "The Americans with Disability Amendment Act"
- (l) DoD Instruction 5025.01, "DoD Issuances Program," June 6, 2014, as amended

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ENCLOSURE 2

RESPONSIBILITIES

1. **DIRECTOR, NCR MD.** The Director, NCR MD will appoint a NCR MD EAP Coordinator in writing. If a civilian is appointed to serve as the Coordinator, a statement of collateral duty will be added to that individual's position description.

2. **NCR MD COMPTROLLER (RESOURCES).** The NCR MD Comptroller (Resources) will ensure that necessary funds are programmed and available to procure contract support services to ensure the provision EAP required for DoD civilians assigned to NCR MD organizations.

3. **NCR MD EAP COORDINATOR.** The NCR MD EAP Coordinator will:

- a. Ensure employees are provided with necessary assistance with EAP services.
- b. Assume the lead role in the administration and evaluation of the NCR MD EAP.
- c. Provide guidance and assistance to human resources liaisons, managers, and other stakeholders on program administration.
- d. Serve as the primary NCR MD liaison with other organizations in matters related to the NCR MD EAP.
- e. Coordinate in-person supervisor and employee orientation or training (length and focus of the orientation or training determined by the requestor) with FOH where there are at least 15 people attending.
- f. Evaluate and assess the EAP and report annually to the Director, NCR MD on the status of the program IAW confidentiality requirements.
- g. Effectively publicize the EAP.
- h. Monitor the performance of the EAP contract and verify services rendered to the organizations.

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4. **DIRECTOR, CIVILIAN HUMAN RESOURCES CENTER (CHRC).** The Director, CHRC will provide advice and assistance to managers, employees, and EAP officials on the implementation of the EAP including:

a. Disseminating policy and guidance issued by higher authorities in connection with the EAP.

b. Notification to all new employees about EAP service availability.

5. **EAP COUNSELORS.** EAP Counselors shall provide the initial counseling and referral for long-term counseling for employees as outlined in the FOH Program Administration section.

a. Focus on prevention, early intervention, and practical resolution to life's challenges.

b. Provide services to include assessments; short-term, solution-focused problem solving; referral to community resources; and monitoring and follow-up of progress during and after receiving assistance.

c. Provide Management Coaching and Consultation regarding concerns or issues related to an employee's conduct or performance. Consult with supervisors to assess interpersonal or organizational issues that may be affecting individual or group performance.

d. Counselors provide critical incident services to support employees who have experienced a traumatic event.

e. Provide temporary, limited emergency counseling services such as bereavement counseling for family members or emergency stabilization for contract employees. Services may include one or two phone consultations and/or face-to-face sessions for the purpose of stabilizing the situation and referring the individual to a community facility or another professional resource. Generally, the full range of EAP services is not offered.

f. The EAP maintains information about a client to document clinical activities, and to monitor a client's progress. Information provided is always voluntary and at the client's discretion.

6. **SUPERVISORS.** Supervisors will:

a. Refer employees to EAP in situations where they believe alcohol, drugs, or other personal problems are adversely impacting job performance and/or conduct.

b. Provide referral to EAP in writing for employees with reported positive drug tests.

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- c. Give appropriate consideration to employee efforts to resolve such personal problems, which may include their failure or refusal to participate in counseling, when determining corrective actions for performance and/or conduct deficiencies.
- d. Refrain from diagnosing the employee's problems, and consult with the servicing civilian employee relations office for appropriate guidance.
- e. Consult with the CHRC and EAP counselor prior to referring an employee to the EAP.

7. EMPLOYEES. Employees will:

- a. Not report for duty under the influence of alcohol and/or illegal drugs.
- b. Correct performance and/or conduct problems and keep all referral appointments made by EAP Counselors for overcoming alcohol abuse, drug misuse, and/or other personal problems.
- c. Be prepared to use personal leave and pay for costs incurred from EAP referral appointments *that are outside the scope of the agreement.*
- d. *Request that the counselor provide the employee with a letterhead note or send an email to the employee's supervisor to confirm the employee's appointment attendance.*
- e. Contact 1-800-222-0364 when seeking EAP service to speak with a Customer Service Representative to schedule an appointment with a Counselor.

ENCLOSURE 3

PROCEDURES FOR PROGRAM
ADMINISTRATION

1. The EAP services for employees include:
 - a. Short-term, solution-focused problem solving.
 - b. Referral to community resources and other specialized professionals.
 - c. Monitoring and follow-up of progress during and after receiving assistance.

2. Other types of personal problems that can adversely impact employee performance and/or conduct that would benefit from an EAP referral include adoption, aging, anxiety, child care, depression, eating disorders, elderly care, financial concerns, gambling, grief and loss, legal concerns, marital issues, medical problems, money management, parenting, psychiatric disorders, relationship difficulties, stress, etc.

3. The voluntary nature of the employee referral is an important aspect. Communications related to the program will emphasize that EAP is a voluntary program and encourage employees to seek assistance for alcohol, drug, and/or other problems before these problems adversely impact job performance or conduct.

4. In the relationship between the EAP and Adverse Action/Discipline, employees will:
 - a. Be held to the same standards of professional conduct regardless of personal, family, or health problems, which will not be used as a shield from adverse administrative or disciplinary actions.

 - b. Not be protected from adverse administrative or disciplinary actions while participating in EAP when they have been identified as using or possessing illegal drugs, except under safe harbor conditions as defined under the Drug-Free Workplace Program provisions.

5. The relationship between EAP and the Drug-Free Workplace Program is that:
 - a. Employees with a reported positive drug test result will be referred to EAP.

 - b. Employee invoking safe harbor will:
 - (1) Voluntarily make drug use disclosure to a superior official prior to being identified through other means;

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- (2) Agree to and sign the Confidentiality Statement located in Enclosure 5;
- (3) Obtain counseling and successfully complete rehabilitation; and
- (4) Refrain from illegal drug usage.

6. The relationship between EAP and reasonable accommodations for employees with disabilities is that agencies are no longer required to offer employees with alcoholism, who engage in misconduct, a firm choice between treatment and discharge. While Title 1 of the Americans with Disabilities Act (References U) and (k)) requires employers to consider other forms of reasonable accommodation for employees with alcoholism such as flexible scheduling and/or leave to accommodate an employee's treatment, employers do not have to excuse violations of uniformly applied conduct or job performance standards by offering a firm choice as a form of reasonable accommodation.

7. Confidentiality relating to EAP:

a. Information regarding discussions with employees and EAP Counselors cannot be disclosed without the employee's permission except for instances of suspected child abuse and neglect, or for employees who commit or intend to commit crimes that would harm themselves, someone else, or cause substantial property damage.

b. Employees may not be denied counseling services solely because of their refusal to sign a confidentiality information release form.

8. NCR MD EAP Administration and Function is to:

a. Implement and operate the EAP within NCR MD.

b. Offer employees the opportunity for counseling and rehabilitation, and ensure counseling services are adequately provided to all civilian employees referred by their supervisors and/or self-referred.

c. Provide appropriate supervisory training to educate and inform the organizations personnel about EAP and prohibition of illegal drug usage, and post information regarding EAP programs and events in public areas.

9. The EAP Customer Service Representatives serve as the initial point-of-contact (POC) for employees who require or are referred for counseling.

10. A person designated as an EAP Counselor must:

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- a. Have the knowledge and experience to effectively communicate EAP regulations, policies, and procedures.
- b. Communicate effectively about the symptoms and consequences of alcohol abuse, personal problems, and illegal drug use with employees, supervisors, and managers.
- c. Obtain information and effectively communicate information relating to the availability of community resources for treatment and rehabilitation.
- d. Understand and effectively communicate all available treatment options and referrals through insurance programs, which are available to employees under the Federal Employee Health Benefits Program.
- e. Counsel employees and identify drug abuse, alcohol abuse, and personal problems impacting on employee job performance or conduct.

11. The EAP Counselor must maintain a list of effective rehabilitation or treatment organizations that provide counseling and rehabilitation programs and include the following information on each organization:

- a. A list of locations and the contractor's name, address, and phone number for each location.
- b. Types of services available.
- c. Hours of operation.
- d. POC name and phone number.
- e. Fee structure and insurance requirements.

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ENCLOSURE 4

SAMPLE FOH NCR MD EAP INFORMATION SHEET**FEDERAL OCCUPATIONAL HEALTH**

Improving the health, safety, and productivity of our Federal employees.



INTRODUCING YOUR EMPLOYEE ASSISTANCE PROGRAM

Today, employees are busy juggling work and family and it is not unusual to encounter difficulties with stress, family, relationships, alcohol, work, or other concerns, which can have an effect on your overall quality of life. To address these concerns, we have partnered with Federal Occupational Health (FOH), to provide you with a wide range of Employee Assistance Program (EAP) services at no cost to you.

With just a phone call or a keystroke, you can access services on the internet and via a professionally staffed call center.

EAP services are convenient and confidential. Licensed counselors are available to help with difficult personal issues. These are just some of the services that are available to you:

- Access to licensed counselors who provide in-person, short-term counseling
- Assistance with a wide range of concerns – relationships, legal, financial, family, substance abuse, children, and more
- Crisis Management
- Supervisor and Management Coaching
- Information and Resources from a Robust Website - FOH4You.com
- Child and Elder Care Resources
- On-Line Presentations, Webinars, and Podcasts

Telephone Access

To make a confidential EAP appointment with a licensed counselor call 1-800-222-0364 (or 888-262-7848 if you are hearing-impaired). Call anytime – we're available 24/7. You will be offered assistance or given an appointment to meet with a counselor. Meetings with your counselor are confidential within the guidelines of the law.

When contacting the EAP please use [Defense Health Agency - National Capital Region Medical Directorate \(NCR MD\)](#) to identify your agency.

Online Access

Go to www.FOH4You.com (click "enter") to access information and resources, self-help assessments, webinars, podcasts, and more.

To access on-line presentations go to **Quick Links** and choose the presentation you want to view. Select option "watch video" (for some presentations) and select your agency from the pull down menu.

To access legal and financial information go to **Benefits** and select **EAP Benefits**.



Employee Assistance Program
(800) 222-0364 | (888) 262-7848 (TTY)

WWW.FOH4YOU.COM

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ENCLOSURE 5SAMPLE FOH EAP STATEMENT OF UNDERSTANDING**FEDERAL OCCUPATIONAL HEALTH**

Improving the health, safety, and productivity of our Federal employees.

**EMPLOYEE ASSISTANCE PROGRAM****STATEMENT OF CLIENT UNDERSTANDING**

Welcome to Federal Occupational Health (FOH) Employee Assistance Program (EAP). The following provides an overview of the confidentiality parameters of the program.

Records are maintained on EAP participation, as authorized under 5 U.S.C. 7361, 7362, 7901, 7904, and 44 U.S.C. 3101. All EAP records are bound by the provisions of the Privacy Act (5 U.S.C. 7361, 7362, 7901, 7904, and 44 U.S.C. 3101), and the Department of Health and Human Service Personnel Instruction 792-2. EAP staff is committed to maintaining the privacy of clients, and upholding the highest standards of professional conduct. The EAP maintains information about a client to document clinical activities, and to monitor a client's progress. Information provided is always voluntary and at the client's discretion. Under certain situations, FOH is required or permitted by law to disclose information. These situations include:

1. When you consent to disclosure in writing.
2. When disclosure is required by a court order or subpoena.
3. When information is disclosed to medical personnel in a medical emergency or when the disclosure is made in a non-identifiable form to qualified personnel for research, audit or program evaluation.
4. When information is disclosed to a private firm, individual, or group providing EAP functions contractually. The contractor is required to maintain all confidentiality safeguards and surrender these records to the EAP Administrator at the time of contract termination.
5. To the Department of Justice or other lawyers for defending your agency, the EAP, and/or their employees in litigation when information relating to your use of the EAP is necessary and relevant to the lawsuit.
6. To an agency, upon request for certain law enforcement purposes, when requested by the head of the agency.
7. In response to a subpoena or discovery request when (a) the FOH EAP receives assurance that reasonable efforts have been made to obtain a qualified protective order protecting the information or (b) the subpoena is from the Inspector General.
8. Upon request from the appropriate agency official, in order to confirm that you have made or kept EAP appointments during regular duty hours (no other information will be given without proper consent).
9. To the appropriate management official under your agency's Drug Free Workplace Program, if you are tested and receive a verified positive drug test result.
10. If you pose a danger to yourself or others, or threaten to commit a serious crime. This disclosure could involve law enforcement and, in the case of harm to others, the potential victim. No other information about your use of the EAP will be disclosed.
11. If you provide any information which would lead the counselor to suspect child abuse or neglect (or in some states elder and spouse abuse). In these cases, the FOH EAP is required to report that information under State law to appropriate State or local authorities.

If you have questions after discussing the Privacy Act with your counselor, please discuss them with an attorney.

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I 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 of Client Understanding, and I understand and agree to it.

Client Name
(Please Print) _____

Client Signature _____

Date _____

EAP Counselor _____

Date _____

If you have questions or comments, please consult your counselor or call the EAP 24-hour toll-free telephone.



**FEDERAL OCCUPATIONAL HEALTH
Employee Assistance Program (EAP)**

(800) 222-0364 | (888) 262-7848 (TTY)

WWW.FOH4YOU.COM

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GLOSSARYABBREVIATIONS AND ACRONYMS

| | |
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| AI | Administrative Instruction |
| AIDS | Acquired Immune Deficiency Syndrome |
| CHRC | Civilian Human Resources Center |
| DHA | Defense Health Agency |
| DoD | Department of Defense |
| EAP | Employee Assistance Program |
| FOH | Federal Occupational Health |
| HIV-1 | Human Immunodeficiency Virus-1 |
| IAW | in accordance with |
| JTF CAPMED | Joint Task Force National Capital Region Medical |
| JTF CAPMED-I | Joint Task Force National Capital Region Medical Instruction |
| NCR | National Capital Region |
| NCR MD | National Capital Region Medical Directorate |