

## Subject to Proper Placement (STPP)

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**Definition** If an individual has a medical condition that may impact his/her ability to perform the essential functions of the position but for which a reasonable accommodation may be possible, a conditional medical clearance may be granted, commonly known as STPP.

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**Policy** It is the policy of the DGS in accordance with the State Personnel Board (SPB) that employability of persons in state civil service be based on individual consideration of the applicant to safely and efficiently perform the essential function of the applied for position.

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**Approval from SPB Medical Office** When the SPB Medical Officer responds to medical referrals, a memorandum will inform the Personnel Liaison (PL) of all applicants medically approved or medically cleared **subject to proper placement**. If there are any positive, abnormal or out-of-range findings, the applicant will be asked to submit additional medical information from their own doctor. The PL will receive notification via a Form 333 of approved medicals.

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**When job offer can be rescinded**

1. When a medical condition will prevent the applicant from safely and efficiently performing the essential duties of the vacant position and the DGS is unable to provide reasonable accommodation; or
2. Where the essential duties or working conditions will, based on medical opinion, significantly and imminently endanger the health or safety of the employee, co-workers or the public, and no reasonable accommodation is available.

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## Subject to Proper Placement (STPP), Continued

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### Medical clearance subject to proper placement (STPP)

The medical clearance decision describes the circumstances under which the individual may safely be employed and may only be made by the SPB Medical Officer. In order to determine if reasonable accommodation is available, the SPB Medical Officer shall inform the PL, in writing, of the medical restrictions but not the details of the medical condition. A Health Questionnaire (Std. 910) or Medical Examination Report (Std. 610) with medical limitation(s) may not serve as a reason for offering the position to another eligible instead, unless the applicant cannot be reasonably accommodated. **An individual's STPP clearance must be reevaluated prior to movement to another position.**

If the DGS is unable to reasonably accommodate the STPP clearance, the applicant must be notified within ten working days of:

- The department's inability to accommodate, and
  - The applicant's eligibility for future vacancies.
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### Appeal of STPP or inability for reasonable accommodation

An individual who has been granted a conditional medical clearance STPP must be informed of his/her right to appeal either the medical basis on which the conditional clearance was made or the DGS' inability to provide reasonable accommodation. Appeals are heard by a medical Appeals Panel made up of the SPB managers. A physician is present to translate any medical information into lay language. The medical Appeals Panel prepares a written recommendation to the five-member SPB

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### Access to medical information

Access to an individual's medical records is limited to the DGS' Personnel Officer or the SPB Medical Officer.

The following circumstances may involve limited medical information:

- Supervisors or managers may be informed of work restrictions or necessary accommodations but **may not have access to medical documents.**
  - First aid and safety personnel may be informed of conditions which may require emergency treatment.
  - Background investigators who obtain information about medical problems in the course of verifying other information should maintain its confidentiality and report the information separately to the SPB Medical Officer.
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## Subject to Proper Placement (STPP), Continued

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### Storage of medical records

Medical records shall be stored in files separate from the employee's Official Personnel Folder (OPF) in the Office of Human Resources (OHR).

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### Retention schedule

Listed below are retention schedules of Medical Clearance forms:

1. Medical Examination Reports (Std. 610) and supplemental information should be retained for a minimum of five years except as described in number 2 below.
  2. Medical records of employees exposed to toxic substances or harmful physical agents must be kept for 30 years after the date of separation (see DGS Management Memos 81-28 and 82-9).
  3. Health Questionnaires (Std. 910) should be retained for a minimum of one year.
  4. STPP letters should be retained for the duration of employment in state service unless it is determined by the SPB Medical Officer that the employment restrictions no longer apply, at which time the STPP letter should be destroyed. STPP letters due to pregnancy should be destroyed at the completion of the pregnancy.
  5. Supervisor's Injury Reports, Accident Reports and Workers' Compensation Medical Reports should be retained in accordance with the established retention periods in State Administrative Manual Section 1665.
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**Subject to Proper Placement (STPP), Continued**

**Resources** The table below depicts the various resources available regarding STPP.

Resource	Section
Laws and Regulations <a href="http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9">http://leginfo.legislature.ca.gov/faces/codes.xhtml;jsessionid=ec740fb92d7f258ccc38ebd5c0c9</a>  <a href="http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=I97CEE3A02FD611E08D0F9C215E074EDC&amp;ItemKey=I97CEE3A02FD611E08D0F9C215E074EDC&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbc=DA010192&amp;fragment#I97CEE3A02FD611E08D0F9C215E074EDC">http://weblinks.westlaw.com/toc/default.aspx?Abbr=ca%2Dadc&amp;Action=CollapseTree&amp;AP=I97CEE3A02FD611E08D0F9C215E074EDC&amp;ItemKey=I97CEE3A02FD611E08D0F9C215E074EDC&amp;RP=%2Ftoc%2Fdefault%2Ewl&amp;Service=TOC&amp;RS=WEBL13.04&amp;VR=2.0&amp;SPa=CCR-1000&amp;pbc=DA010192&amp;fragment#I97CEE3A02FD611E08D0F9C215E074EDC</a>	GC 19230 (c), 18931, 19261  SPB Rule 172
Responsible Control Agency and Program <a href="http://www.spb.ca.gov/">http://www.spb.ca.gov/</a>	SPB
<b>Other:</b> Americans with Disabilities Act, Equal Employment Regulations (42 U.S.C. Title 29, Part 1630)	<a href="http://www.usdoj.gov/crt/ada/adahom1.htm">http://www.usdoj.gov/crt/ada/adahom1.htm</a>