JAN
Job Accommodation Network
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Accommodation and Compliance Series

Occupation and Industry Series: Accommodating Nurses with Disabilities

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ODEP
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Introduction

How many nurses with disabilities are working today?

According to the Bureau of Labor Statistics, there were nearly three million registered nursing jobs in the United States in 2016. The Department of Labor has predicted that the number of nurses in the workforce will grow by 15% in the next 10 years, which is much faster than average. If disabilities affect one-fifth of all Americans (Census Bureau, 2012), then close to 600,000 registered nurses could be in need of job accommodations. This number doesn't include nurse practitioners, midwives, anesthetists, and licenses practical and vocational nurses and nursing assistants.

With the high standards nurses are held to, along with the myriad skills they are required to master and the tasks they accomplish on a daily basis, those in the nursing profession with disabilities may need reasonable accommodations to effectively perform their jobs. They may need accommodations related to cognitive, mental health, motor, sensory, and other disabilities.

Are nurses with disabilities required to disclose their disability to their employers?

It depends. The ADA regulates when employers can ask medical questions of job applicants, new hires, and employees. During the application stage, employers are not allowed to ask medical questions and applicants are not required to disclose their disabilities unless they need an accommodation. Employers are required to provide accommodations for job applicants with disabilities to participate in the application process, but only if they know about the disability and need for accommodation (EEOC, 1992).

Once an employer makes a job offer, but before the new hire actually starts working, employers can ask any medical questions they want as long as they ask all new employees in the same job category the same questions. At this stage, the new hire must disclose a disability if asked (EEOC, 1992).

Once working, employees only need to disclose their disabilities if they want to request an accommodation (EEOC, 1992).

Can an employer ask nurses with disabilities to submit to a medical examination?

Yes, if the need for the medical examination is job-related and consistent with business necessity. Disability-related inquiries and examinations of employees must be "job-related and consistent with business necessity." According to the Equal Employment Opportunity Commission (EEOC, 2005), the federal agency charged with enforcing the

ADA, a medical inquiry or examination is job-related and consistent with business necessity when:

- an employer has a reasonable belief, based on objective evidence, that an employee's ability to perform essential job functions will be impaired by a medical condition; or
- an employer has a reasonable belief, based on objective evidence, that an employee will pose a direct threat due to a medical condition; or
- an employee asks for a reasonable accommodation and the employee's disability or need for accommodation is not known or obvious; or
- required in positions that affect public safety, such as police and fire fighters.

Accommodation Ideas:

Accommodations vary for nurses with cognitive, motor, and sensory impairments. The following provides an overview of accommodation ideas that may be helpful:

- Cognitive impairment, as used in this publication, refers to disturbances in brain functions, such as memory loss and problems with organizing and concentrating. Cognitive impairment is a syndrome, not a diagnosis. Many conditions can cause cognitive impairment, including multiple sclerosis, depression, alcoholism, Alzheimer's disease, Parkinson's disease, traumatic brain injury, chronic fatigue syndrome, and stroke.
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- Motor impairment, as used in the publication, refers to limitations in motor movements such as walking, bending, lifting, sitting, standing, fingering, grasping, and maintaining stamina. Many conditions cause motor or mobility impairment, including multiple sclerosis, cancer, stroke, paraplegia, quadriplegia, cumulative trauma disorder, back condition, arthritis, and heart condition.
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- Mental health conditions, also called "mental illness," refers collectively to all diagnosable mental disorders. Mental disorders are health conditions that are characterized by alterations in thinking, mood, and/or behavior. Examples of psychiatric impairments include depression, bipolar disorder, anxiety disorder, schizophrenia, and addictions like alcoholism and drug addiction.
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- Sensory impairment, as used in the publication, is any condition that results in hearing loss, deafness, speech impairment, vision loss, blindness, or respiration.

Limitations and accommodation ideas specific to the nursing environment include:

Difficulty Lifting or Transferring Patients

- Transfer aids
- Team lifting
- Height Adjustable Examination Tables
- Walk-up Changing Tables

Use of One Hand

- One-hand syringes
- Power Lift IV Stand
- One-handed Keyboards
- One-handed Keyboard Software

Maintaining Clean Technique for Nurses Who use Wheelchairs

- Wash and dry hands, apply two pairs of clean gloves, and maneuver to area
- Remove exterior pair of gloves
- Use a strap or belt to secure self in chair when leaning forward to assess patient, perform wound care, etc.

Monitoring Vital Signs

- Amplified Stethoscopes and Related Products
- Talking Thermometers
- Talking Scales
- Talking Blood Glucose Monitors
- Talking Blood Pressure Monitors
- Talking Watches

Monitoring Vital Signs

- Blood pressure monitors with displays showing pulse and blood pressure
- Graphic auscultation systems

- Equipment with digital displays
- Vibrating alert to signal a monitor's alarm

Difficulties with Documentation

- Speech recognition software
- Steno system
- Screen reading software
- Writing/editing software
- Smart Pens

Memory Deficits

- Reminders
- Apps for memory
- Additional training time
- Color coded system
- Written instructions

Difficulties with Focus and Time Management

- Timers and watches
- Apps for organization/time management
- Noise cancelling earbuds
- Checklists
- Modified break schedule

Additional Resources:

- For additional information, see Enforcement Guidance: Disability-Related Inquiries and Medical Examinations of Employees under the Americans with Disabilities Act (ADA).
- For additional information on testing accommodations, see JAN's A to Z: Testing Accommodation Topics.
- For case studies from the health care fields, see: Accommodating Employees in Health Care Fields.

Situations and Solutions:

A nurse aide with latex allergy was reassigned to an area of the hospital where few latex products were used, but the aide was still having problems with latex exposure.
The employer realized that the latex was being carried through the ventilation system so the employer worked with a heating, ventilation, and air-conditioning (HVAC) specialist to prevent the circulation of latex in the employee's work area.

An RN with nearly twenty years of experience in a veteran's hospital was having great difficulty working in the emergency and critical care units due to an increase in symptoms when dealing with trauma.
He asked for the accommodation of reassignment. The hospital HR department worked with the employee to determine positions she was qualified for that were open or would be soon. Together they ranked the positions in order of which were best suited for her. She was able to choose among three different positions in the veterans' healthcare system.

A university had offered a nursing instructor position to an applicant with ALS who used a wheelchair.
The university called JAN to better understand what modifications they needed to make to the physical work-site and learn what products could be used for the new hire. JAN suggested automatic door openers, a height adjustable table to teach from, and explained parking as a reasonable accommodation under the ADA.

A nursing assistant for a rehabilitation hospital was in the third trimester of her pregnancy and, due to complications, was restricted from lifting more than twenty pounds.
Her job was restructured temporarily to assign her to care for patients who did not require transfer assistance and was permitted to ask co-workers for assistance when she needed to move items weighing more than twenty pounds.

Lexie is a nurse with PTSD.
She has applied for a nursing position and has been called for an interview. In her last interview that didn't go very well, she sat across the table in a very small room from four people, the nursing administrator, the personnel director, a nurse manager, and a physician. Lexie feels that if there were no more than two people in the room, she would be able to better represent herself, making her interview more successful. In order to limit the interviewers, Lexie may have to disclose and ask for an accommodation.

A retired Army medic had difficulty managing stress in the workplace due to his PTSD.
His stress intolerance was intensified when he heard the emergency medical helicopter arrive and depart from the hospital where he worked as a nurse. The nurse was reassigned to a vacant position on a unit that was far from the heli-pad so he rarely heard the helicopter. During times when the helicopter staff would practice maneuvers in his area he was allowed to work a flexible schedule.

An emergency room nurse with a leg impairment had walking restrictions.
She couldn't keep up with the fast paced environment in the emergency room, so her employer reassigned her to an outpatient clinic where she could use a wheelchair the hospital already owned. This enabled the employer to retain a valued skilled employee.

A public health registered nurse had trouble with circulation and headaches, which stemmed from Raynaud's disease.
He requested the ability to use a private office where he could run a space heater without affecting his coworkers, which would minimize headaches and improve circulation.

A nurse with fibromyalgia working in a county health clinic experienced a great deal of fatigue and pain at work.
The nurse typically worked evening shifts, but her doctor recommended a schedule change so she could regulate her sleep patterns. Accommodation suggestions included changing her shift from evening to day, restructuring the work schedule to eliminate working two consecutive twelve hour shifts, reducing the number of hours worked to part time, and taking frequent rest breaks.

A registered nurse with latex allergies was having difficulty wearing latex gloves. The
The employer provided her with non-latex gloves and started using non-powdered latex gloves for other staff to reduce the amount of latex in the environment.

A nurse in an extended care facility asked for the accommodations of no overtime, as well as being relieved of duties that require her to work on the floor.
The employer denied the overtime request, as being available to provide overtime is an essential function of the job. As for not being required to work on the floor, the employer requested more medical documentation in order to determine what stressors were involved and how they might be reduced in order for the employee to work on the floor, another essential function of the position.

A nurse with a hearing impairment worked the night shift and had to talk to doctors who called for information.
She was having difficulty hearing over the telephone. The employee asked to be moved to a dayshift where there would be other nurses who could talk to the doctors; however, there were not any openings on the dayshift. The employer purchased a telephone amplifier, which enabled the nurse to hear effectively over the telephone.

A nurse with drug addiction was restricted from dispensing medication after she was caught using illegal drugs.
Her employer had a policy allowing employees to participate in drug rehabilitation and return to work with a last chance agreement. When the nurse returned to work after rehabilitation, she was reassigned to a job that did not require her to dispense medication and given periodic drug tests.

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