1. **Agency has evidence of a Fitness for Duty (FFD) concern regarding a Licensee**
   - ☐ Agency makes preliminary determination of FFD concern.[1]
   - ☐ If Agency finds just cause, Agency should immediately remove Licensee from duty under the authority of their license.[2]
2. **Agency requests Fitness-for-Duty Examination (FFDE)**
   - ☐ Fill out TCOLE FFDE Form: Licensee Information, Agency Information, and FFDE Request Information (fields 1-24)
   - ☐ Present FFDE Form to Licensee for signature of Licensee Acknowledgement and Release (field 25) no later than 10 business days before deadline set by the agency to submit to the examination.[3]
   - ☐ IF Licensee signs the FFDE Form, Agency will provide Practitioner with the Form and all relevant documentation as to the reason a request for examination was made.[4]
   - ☐ IF **Licensee refuses to submit** to FFDE, Agency will submit the explanation for the refusal, the FFDE Form, and all relevant documentation to TCOLE within 30 days after the deadline set by the agency for examination has expired.[5]

3a. Practitioner completes the FFDE and Licensee Passes:

- ☐ A second examination may be ordered if the appropriate authority questions Practitioner's report. If the report of the second Practitioner disagrees with the report of the initial Practitioner, the final determination as to the Licensee's fitness shall be decided in accordance with Agency policy.[6]
- ☐ Agency may make the determination to return Licensee to duty.
- ☐ All documentation is maintained in Licensee's confidential medical file.[7]

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[1] MP-MPEL 5.1.
[2] MP-MPEL 5.3.
[3] MP-MPEL 8.2.
[4] MP-MPEL 8.3.
[5] MP-MPEL 9.3.
[6] MP-MPEL 8.5.
[7] MP-MPEL 8.6.

Practitioner completes the FFDE and Licensee Fails:[8]

3b. If Licensee fails the FFDE, Practitioner <u>may recommend</u> an applicable treatment program on the FFDE Form.[9]	**3c. If Licensee fails the FFDE, Practitioner may finalize FFDE Form <u>without a recommendation</u> of an applicable treatment program**
☐ If Licensee successfully completes the applicable treatment program, Licensee must be re-examined by Practitioner.[10] ☐ A Licensee's failure or refusal to complete the applicable treatment program is considered a failed exam. ☐ A second examination may be ordered if the appropriate authority questions Practitioner's report. If the report of the second Practitioner disagrees with the report of the initial Practitioner, the final determination as to the Licensee's fitness shall be decided in accordance with Agency policy.[11] ☐ Agency will keep documentation in Licensee's confidential medical file.[12] ☐ Once Licensee's failure is final, Agency will submit the FFDE Form, Practitioner's report, and all relevant documentation of the failure to TCOLE within 30 days.[13]	☐ A second examination may be ordered if the appropriate authority questions Practitioner's report. If the report of the second Practitioner disagrees with the report of the initial Practitioner, the final determination as to the Licensee's fitness shall be decided in accordance with Agency policy.[14] ☐ Agency will keep documentation in Licensee's confidential medical file.[15] ☐ Once Licensee's failure is final, Agency will submit the FFDE Form, Practitioner's report, and all relevant documentation of the failure to TCOLE within 30 days.[16]

[8] If Licensee has failed an examination and is actively completing an applicable treatment program, Agency does not need to report this to TCOLE, so long as Licensee is not performing duties under the authority of their license. Agency is only required to report an examination failure that is final, meaning all second examinations, appeals, and applicable treatment program options have been exhausted.
[9] MP-MPEL 8.4.
[10] MP-MPEL 8.4.
[11] MP-MPEL 8.5.
[12] MP-MPEL 8.6
[13] MP-MPEL 9.2.
[14] MP-MPEL 8.5.
[15] MP-MPEL 8.6
[16] MP-MPEL 9.2.