VIRGINIA MILITARY INSTITUTE
Lexington, Virginia

GENERAL ORDER)
NUMBER 61) 21 March 2012

Medical Leave and Medical Furlough Policy

1. **Purpose:** The purpose of this policy is to outline procedures and guidelines in cases where cadets no longer meet medical eligibility and must be placed on medical leave or furlough. The purpose of these actions is to ensure the safety of cadets as well as to enhance their ability to successfully complete VMI's rigorous program requirements. The directives outlined in this General Order supplement, but do not replace, existing directives contained in VMI Regulations and other official VMI publications.

2. **Definitions:**
   A. Medical Leave: Medical leave is normally for a short, specified period of time in order for cadets to receive medical treatment or rehabilitation services off Post and out of the local area. Medical Leave may be voluntary or involuntary, based on the severity of the circumstances.

   B. Medical Furlough: Medical furlough is for longer duration and normally has no specified return time. Medical furlough is to be used when a cadet's illness or injury is such that the cadet is unable to perform the duties expected of a VMI cadet. Medical Furlough may be voluntary or involuntary, based on the severity of the circumstances.

   C. Direct Threat: a high probability of substantial harm, not just a slightly increased, speculative, or remote risk.

3. **Authority:** The Institute Physician has the authority to place a cadet on medical leave or medical furlough. These decisions will be made based upon the cadet's medical history, diagnosis, and prognosis as well as any consultations with outside providers or specialists that the Institute Physician deems appropriate.

4. As outlined in VMI Regulations, Part II, Paragraph 12-14, if a cadet is believed to present a direct threat to self or others due to mental health issues, he or she will be required to participate in a mental health assessment.

   A. Cadets determined by professionals to present a direct threat to others will be placed on medical leave or medical furlough, until such time as they are deemed by professionals to no longer be of danger to others, and any other conditions of treatment have been met.

B. Cadets that present a direct threat to themselves will be assessed by the Institute Physician or appropriate mental health professionals and may be placed on medical leave or furlough if it is determined that VMI is incapable of providing the appropriate care and accommodations. This assessment must be based on the most current medical knowledge or the best available objective evidence." The assessment must determine: 1) the nature, duration and severity of the risk; 2) the probability that the injury will occur; and 3) whether reasonable modifications of policies, practices or procedures can mitigate the risk. Should the cadet refuse placement on furlough and/or refuse professional treatment, the Deputy Superintendent for Finance, Administration, and Support (FAS) will be notified and consulted. Those cadets refusing to go on furlough or seek evaluation or treatment will be advised of impending furlough; given a reasonable opportunity to respond, and then placed on medical furlough until the appropriate determination can be made to resolve the situation.

5. Nothing herein shall prevent VMI from taking immediate action or immediately placing a cadet on furlough if emergency circumstances exist.

6. VMI is committed to the well-being and safety of cadets, employees, and family members as well as the integrity of the learning and work environments at VMI. VMI may require a cadet who poses a danger to himself/herself or others, or who substantially disrupts the learning or work environment on Post to engage in a psychiatric evaluation followed by treatment on Post, if possible, and if not, while at home on a medical furlough.

7. In most cases, the Institute Physician or Director of the Counseling Center will provide detailed directives and guidance on what the cadet must do in order to complete his or her medical rehabilitation and return to VMI. In some cases, limits and restrictions may be imposed upon cadets returning to VMI for other purposes (e.g. visits, meeting with faculty, etc.) while on medical leave or furlough. Limits/restrictions of this nature will be communicated in writing to the cadet and, as necessary, the Commandant's staff will be informed of the restrictions.

8. **Procedures:**

A. Medical Leave: The Institute Physician will direct these actions. The Commandant's Office will be notified immediately. In some cases, cadets placed on medical leave will have specified restrictions or enumerated medical treatment conditions that must be completed prior to the leave period ending. Cadets who fail to complete these specified restrictions or required conditions are then subject to being placed on medical furlough.

B. Medical Furlough: The Institute Physician will direct these actions. The Commandant's Office and the Registrar will be notified immediately. If the cadet is placed on Medical Furlough involuntarily, a memorandum notifying the cadet that he/she is being placed on medical furlough for the reasons specified will be provided to the cadet; and if the cadet's condition does not present a direct threat to self or others, he/she

will be given an opportunity to respond. If a cadet requires specified treatment or if other conditions need to be completed before returning to VMI, an additional letter with specific instructions will be sent. Cadets will be responsible for executing all releases for information and records that are required for a full evaluation by Institute officials when considering readmission to VMI.

C. Readmission: Cadets on medical leave shall return at the completion of their specified leave period and should report immediately to the Institute Physician upon their return. Cadets seeking to return from medical furlough must present documents and information to the Institute Physician or Director of Cadet Counseling sufficient to demonstrate that all required treatment plans and programs have been successfully completed or are being completed as required for ongoing plans. In addition, the Institute Physician must make a finding to the Institute Readmissions Committee that states whether or not the cadet is qualified to safely and successfully complete all aspects of the VMI program, with or without accommodation; and whether or not he/she poses a direct threat to self or others. If the finding is made that the cadet has not successfully completed required treatment regimens, or cannot safely and successfully complete the duties required of a cadet, or remains a direct threat to self or others, that cadet will be notified of this finding. The cadet will then be allowed to present any further matters for consideration, which he or she must do within 24 hours. The cadet may be asked to complete an on-site interview to discuss treatment or documentation. If the Institute decides against readmission, the Registrar shall notify the cadet of the decision in writing. Within 5 days of receipt of the Institute Readmissions Committee decision, the cadet may appeal in writing to the Deputy Superintendent for Finance, Administration, and Support for a review of the decision. The decision of the Deputy Superintendent for Finance, Administration, and Support is final. The Institute shall notify the cadet of the final decision in writing.

FOR THE SUPERINTENDENT:

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