



Questions and Answers: Medical Verification for Reasonable Accommodations or Modifications

When residents ask for reasonable accommodations to rules/policies or reasonable modifications to existing structures, the person requesting said accommodations or modifications must be disabled and there needs to be a nexus between the disability and the accommodation or modification being sought. Residents typically do so by having a medical professional verify the need for the accommodation or modification in light of their disabilities.

Q: I am requesting a reasonable modification and the housing provider is asking for verification from my doctor. Can they ask for a verification?

A: In most situations, a housing provider may request verification of a disability from a medical professional. The exception to requiring a medical verification is when the disability is readily apparent, such as someone in a wheelchair asking for a ramp modification.

Q: Do I need to disclose the nature of my disability in the medical verification?

A: No, the medical verification does not need to list the nature of your disability. In terms of disclosure of medical information, your doctor or other treating medical professional only needs to disclose that you are disabled as defined under the law.

Under federal and state law, an individual is disabled if he/she has a physical or mental impairment that *substantially limits one or more major life activities*, has a record of such an impairment, or is regarded as having such an impairment. Major life activities include, but are not limited to, walking, seeing, hearing, speaking, breathing, thinking, communicating, learning, performing manual tasks, and caring for oneself.

Q: What information should my healthcare provider include in the verification?

A: The medical verification should preferably be from the resident's treating healthcare provider. The verification must also state that the person is disabled as defined under federal and state law. In addition to verifying that the person is disabled, the doctor must also state that the requested accommodation is necessary to afford the resident full use and enjoyment of the dwelling.

Q: I submitted a reasonable accommodation request accompanied with a verification from my doctor. The housing provider is now asking to speak with my doctor. Can my housing provider contact my healthcare provider for further information regarding my disability?

A: No, a housing provider may not request medical records nor access to healthcare providers to verify a disability. Housing providers also should not be requesting information regarding a person's diagnosis, treatment, or nature and severity of a person's disability. Housing providers should only be inquiring into whether the person is disabled as defined under the law, and whether the accommodation being sought offers the requesting resident the same opportunity to use and enjoy their unit as a non-disabled person.