



County Technical Assistance Service
INSTITUTE *for* PUBLIC SERVICE

July 22, 2024

Second and Third Opinions

Dear Reader:

The following document was created from the CTAS website (ctas.tennessee.edu). This website is maintained by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other CTAS website material.

Sincerely,

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Second and Third Opinions

Reference Number: CTAS-1037

If the employer has reason to doubt the validity of a medical certification, the employer may require the employee to obtain a second opinion, at the employer's expense, from a health care provider designated by the employer, as long as the health care provider is not employed on a regular basis by the employer and does not regularly contract with the employer. If the first and second opinions differ, the employer may require the employee to obtain a third certification, again at the employer's expense, from a health care provider chosen or approved by the employer and the employee. The third opinion will be binding. The employer is required to provide the employee with copies of the second and third opinions upon request, within five business days after the request is made.^[1]

[1] 29 C.F.R. § 825.307

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