

Kansas Administrative Regulations

Kansas Human Rights Commission

Article 34.—Discrimination Because of Disability

21-34-4. Employment entrance examinations and inquiries; exception.

A covered entity may require a medical examination, inquiry, or both after an offer of employment has been made to a job applicant and prior to the commencement of the employment duties of the applicant, and may condition an offer of employment on the results of the examination, inquiry, or both if:

(a) all entering employees in the same job category are subjected to an examination, inquiry, or both regardless of disability;

(b) information obtained regarding the medical condition or history of the applicant is collected and maintained on separate forms and in separate medical files and is treated as a confidential medical record, except that:

(1) supervisors and managers may be informed regarding necessary restrictions on the work or duties of the employee and necessary accommodations;

(2) first aid and safety personnel may be informed, when appropriate, if the disability might require emergency treatment; and

(3) government officials investigating compliance with this act shall be provided relevant information on request; and

(c) the results of such physical examination, inquiry, or both are used only in accordance with these regulations.

(Authorized by K.S.A. 44-1004; implementing K.S.A. 44-1009, as amended by L. 1991, Chapter 147, Section 6; effective, T-21-3-27-92, March 27, 1992; effective April 27, 1992.)

***** Authenticated Kansas Administrative Regulation *****