

**DECISION**



**THE COMPTROLLER GENERAL  
OF THE UNITED STATES  
WASHINGTON, D. C. 20548**

**FILE:** B-213431

**DATE:** February 28, 1984

**MATTER OF:** Irene Kratochvil

**DIGEST:**

The Government may pay for X-rays and laboratory work ordered by the examining physician as part of a fitness-for-duty examination. Since the X-ray and laboratory work was for the benefit of the Government, the employee may be reimbursed amounts she has paid for these services.

The Defense Logistics Service Center, Battle Creek, Michigan, may reimburse the cost of X-rays and laboratory work directed as part of a fitness-for-duty examination given Mrs. Irene Kratochvil.<sup>1</sup>

On June 4, 1982, Mrs. Kratochvil's supervisor requested that she undergo a fitness-for-duty examination because her duties involved lifting up to 50 pounds, and she had furnished doctors' statements citing medical conditions preventing her from fully performing those duties. A Government doctor conducted the examination on June 16, 1982, and requested that her private physician forward specified X-rays and laboratory test results. Evidently the Government doctor believed that such documentation was then available. In fact it was not and the private physician ordered that the X-ray and laboratory work be performed.

Mrs. Kratochvil has paid \$66 for these services. In addition she has provided a statement attesting to the fact that she has not been reimbursed by her insurance carrier for all or any part of the \$66 charge. Because of doubt as to her entitlement, Mrs. Kratochvil has not been reimbursed the amount in question.

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<sup>1</sup>J. D. Graham, Accounting and Finance Officer, Defense Property Disposal Service, Defense Logistics Agency, requested an advance decision from the Comptroller General. Voucher in favor of Mrs. Kratochvil which was submitted is returned for payment.

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A Federal agency has authority to direct an employee to have a fitness-for-duty examination at Government expense when the employee's physical capacity to perform in the position assigned is uncertain. 49 Comp. Gen. 794 (1970); 41 Comp. Gen. 531 (1962); Federal Personnel Manual (FPM) Chapter 339 and Supplement 752-1. The regulations at FPM Chapter 339, Subch. 1-3(c) require that the examination be at no cost to the employee. In allowing reimbursement for X-rays and test results relied upon by the examining physician we have drawn a distinction between X-ray and lab work performed specifically for the purpose of the fitness-for-duty examination and the same type of work conducted otherwise for the purpose of diagnosis and treatment. If laboratory tests are initially obtained for diagnosis or treatment, their cost is not reimbursable to the employee even though the tests are later used in connection with a fitness-for-duty examination. 49 Comp. Gen. 794 (1970); Matter of Lanehart, B-212562, December 6, 1983. In the present case, the X-rays and related work were specifically ordered for the Government's benefit in conducting the fitness-for-duty examination. Therefore, the cost is payable by the agency.

The \$66 amount already paid by Mrs. Kratochvil may be certified for payment without further documentation in view of her statement indicating that she has not received reimbursement from any insurance company.

*for* Milton J. Aroslan  
Comptroller General  
of the United States