



## Disability Diagnoses

News

8.01.13

The August 2013 issue of *InsideCounsel* quoted Irvine Managing Partner Jim McDonald in the article “Disability Diagnoses.”

The article cited the expanded types of behavior that might be considered a disability under the Americans with Disabilities Act (ADA) as listed in the new edition of the *Diagnostic and Statistical Manual of Mental Disorders*.

Some lawyers fear an upswing in ADA claims based on the new psychiatric diagnostic categories listed in the manual, which was published by the American Psychiatric Association.

Jim noted: “Experience has shown that when a new diagnostic category is introduced, a substantial number of people will be diagnosed with those newly defined conditions.

As people come to work with these new diagnoses and present it as an issue affecting employment, then employers need to be ready to respond.” He added that management training in this area should include information on the limits of an employer’s duty to accommodate.

“It requires people handling accommodations requests to be up to speed on where the boundaries are.”

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