

FMLA Definition of Serious Health Conditions

Based on guidelines from the U.S. Department of Labor

Type	Qualifying criteria	Examples
Hospitalization and Subsequent Treatment	INCAPACITY* INVOLVING AN OVERNIGHT STAY IN A HOSPITAL OR RESIDENTIAL MEDICAL CARE FACILITY	Hospitalization for surgery Post-surgery doctor's exam Post-surgery physical therapy sessions
Pregnancy and Prenatal Care	ANY PERIOD OF INCAPACITY No other qualifications A doctor's visit during the absence is <i>not</i> required.	Morning sickness Doctor's visit for prenatal care
Chronic Conditions	ANY PERIOD OF INCAPACITY due to a chronic condition which: 1. Requires periodic visits for treatment 2. Continues over an extended period of time 3. May cause episodic rather than continuous incapacity Requires at least two visits per year to HCP	Asthma, diabetes, epilepsy, migraine headaches
Conditions Requiring Multiple Treatments	ANY PERIOD OF INCAPACITY for restorative surgery or for conditions that if left untreated would result in incapacity of more than 3 full consecutive calendar days.	Chemotherapy or radiation for cancer Dialysis for kidney disease Physical therapy for arthritis
Permanent/Long Term Conditions	ANY PERIOD OF INCAPACITY. Individual must be under the continuing supervision of a doctor.	Alzheimer's, stroke, terminal diseases
Other Health Conditions	INCAPACITY MUST BE FOR MORE THAN 3 <u>FULL</u> CONSECUTIVE CALENDAR DAYS AND 1. Involves treatment 1 time by a health care provider followed by a continuing regimen of treatment (first visit within 7 days of first day of incapacity) OR 2. Involves treatment 2 or more times by a health care provider (second visit within 30 days of first day of incapacity)	(Not <i>normally</i> included: common cold, flu, earache, routine dental problems) Physical therapy sessions ordered by a doctor for a broken leg A visit to doctor followed by course of prescription antibiotics

This fact sheet is for general information and is not to be considered in the same light as official statements of position contained in the regulation.

*Incapacity: inability to work, attend school, or perform other regular daily activities due to the SHC, treatment therefore, or recovery therefrom.