



FMLA DEFINITION OF SERIOUS HEALTH CONDITION

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

*Incapacity, as referred to in this table is defined as the inability to work, attend school, or perform other regular daily activities due to the serious health condition, treatment therefore, or recovery therefrom.

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 follow up care
Pregnancy and Prenatal Care	Any period of incapacity	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; AND 3. May cause episodic rather than continuous incapacity	Asthma, diabetes, epilepsy
Conditions Requiring Multiple Treatments	Any period of incapacity for restorative surgery after an accident or injury 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 or Long-Term Conditions	Any period of incapacity. Employee must be under the continuing supervision of a doctor for a condition for which treatment may not be effective.	Alzheimer's, severe stroke, terminal disease
Other Health Conditions	Incapacity must be for more than 3 full consecutive calendar days AND 1. Involves treatment 1 time by a healthcare 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 normally included: common cold, flu, earache, routine dental problems) Physical therapy sessions ordered by a doctor for a broken leg A visit to the doctor followed by a course of antibiotics