

The chart below describes the different types of conditions that are serious health conditions under the FMLA. Serious health conditions may include conditions that involve an inpatient hospital stay or ones that include one or more visits to a health care provider and ongoing treatment. Chronic conditions and longterm or permanent periods of incapacity may also meet the requirements. Certain conditions requiring multiple treatments may also be FMLA-qualifying. See the chart below for more information.

Inpatient Care
<ul style="list-style-type: none"> • An overnight stay in a hospital, hospice, or residential medical care facility. • Includes any period of incapacity or any subsequent treatment in connection with the overnight stay.
Continuing Treatment by a Health Care Provider (any one or more of the following)
<u>Incapacity Plus Treatment</u>
<p>A period of incapacity of more than three consecutive, full calendar days, and any subsequent treatment or period of incapacity relating to the same condition, that also involves:</p> <ul style="list-style-type: none"> – Two or more in-person visits to a health care provider for treatment within 30 days of the first day of incapacity unless extenuating circumstances exist. The first visit must be within seven days of the first day of incapacity; or, – At least one in-person visit to a health care provider for treatment within seven days of the first day of incapacity, which results in a regimen of continuing treatment under the supervision of the health care provider. For example, the health provider might prescribe a course of prescription medication or therapy requiring special equipment.
<u>Pregnancy</u>
Any period of incapacity due to pregnancy or for prenatal care.
<u>Chronic Conditions</u>
Any period of incapacity due to or treatment for a chronic serious health condition, such as diabetes, asthma, migraine headaches. A chronic serious health condition is one which requires visits to a health care provider (or nurse supervised by the provider) at least twice a year and recurs over an extended period of time. A chronic condition may cause episodic rather than a continuing period of incapacity.
<u>Permanent or Long-term Conditions</u>
A period of incapacity which is permanent or long-term due to a condition for which treatment may not be effective, but which requires the continuing supervision of a health care provider, such as Alzheimer’s disease or the terminal stages of cancer.
<u>Conditions Requiring Multiple Treatments</u>
<ul style="list-style-type: none"> – Restorative surgery after an accident or other injury; or, – A condition that would likely result in a period of incapacity of more than three consecutive, full calendar days if the employee or employee’s family member did not receive the treatment.

**Leave due to the birth, adoption or placement for foster care of a child does not require medical necessity or any period of incapacity. FMLA leave is available for bonding with the baby/child.*

The FMLA regulations specifically exclude the following conditions, unless inpatient care or complications develop that would meet the above criteria: cosmetic treatments, common colds, flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, and periodontal disease.