

DEFINITION OF “SERIOUS HEALTH CONDITION” FOR HEALTH CARE PROVIDERS

Family and Medical Leave Act of 1993 (FMLA)

A “serious health condition” means an illness, injury, impairment, or physical or mental condition that involves one of the following:

1. **Hospital Care:** Inpatient care (e.g., an overnight stay) in a hospital, hospice, or residential medical care facility, including any period of incapacity or subsequent treatment in connection with or consequent to such inpatient care.
2. **Absence Plus Treatment:** A period of incapacity of more than three consecutive calendar days (including any subsequent treatment or period of incapacity relating to the same condition) that also involves:
 - ◆ Treatment two or more times by a health care provider, nurse, or physician’s assistant under direct supervision of a health care provider or provider of health care services (e.g., physical therapist) under orders of, or on referral by, a health care provider; or
 - ◆ Treatment by a health care provider on at least one occasion which results in a regimen of continuing treatment under the supervision of the health care provider.
3. **Pregnancy:** Any period of incapacity due to pregnancy, or for prenatal care.
4. **Chronic Conditions Requiring Treatment:** A chronic condition which:
 - ◆ Requires periodic visits for treatment by a health care provider, nurse, or physician's assistant under direct supervision of a health care provider;
 - ◆ Continues over an extended period of time (including recurring episodes of a single underlying condition); or
 - ◆ May cause episodic rather than continuing period of incapacity (i.e., asthma, diabetes, epilepsy).
5. **Permanent/Long Term Conditions Requiring Supervision:** A period of incapacity due to a condition for which treatment may not be effective. The employee or family member must be under the continuing supervision of, but need not be receiving active treatment from, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.
6. **Multiple Treatments (Non-Chronic Conditions):** Any period of absence to receive multiple treatments (including any period of related recovery) from a health care provider or a provider of health care services under orders of, or on referral by, a health care provider. This could be due to either restorative surgery after an accident or other injury, or for a condition that would likely result in a period of incapacity of more than three consecutive calendar days in the absence of medical intervention or treatment, such as cancer (chemotherapy, radiation, etc.), severe arthritis (physical therapy), or kidney disease (dialysis).