



## Leave of Absence - David Douglas School District

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### Categories of Serious Health Conditions

#### Understanding the Definition of a Serious Health Condition

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

**Category 1: INPATIENT/HOSPITAL CARE**

**Inpatient Care** (i.e., an overnight stay) in a hospital, or residential medical care facility, including any period of incapacity<sup>2</sup> or subsequent treatment in connection with or consequent to such inpatient care.

**Category 2: ABSENCE PLUS TREATMENT**

(a) A period of incapacity<sup>2</sup> of **more than three consecutive calendar days** (including any subsequent treatment or period of incapacity relating to the same condition), that also involves:

- (1) **Treatment<sup>3</sup> two or more times** by a health care provider, by a nurse or physician's assistance under direct supervision of a health care provider, or by a provider of health care services (e.g. physical therapist) under orders of, or on referral by, a health care provider; or
- (2) Treatment by a health care provider on **at least one occasion** which results in a **regimen of continuing treatment<sup>4</sup>** under the supervision of the health care provider.

**Category 3: PREGNANCY**

Any period of incapacity due to pregnancy, or for prenatal care.

**Category 4: CHRONIC CONDITIONS REQUIRING TREATMENTS**

A **chronic condition** which:

- (1) Requires **periodic visits** for treatment by a health care provider, or by a nurse or physician's assistant under direct supervision of a health care provider;
- (2) Continues over **an extended period of time** (including recurring episodes of a single underlying condition); and
- (3) May cause episodic rather than a continuing period of incapacity<sup>2</sup> (e.g. asthma, diabetes, epilepsy, etc.)

**Category 5: PERMANENT/LONG-TERM CONDITIONS REQUIRING SUPERVISION**

A period of incapacity<sup>2</sup>, which is permanent or long-term 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** by, a health care provider. Examples include Alzheimer's, a severe stroke, or the terminal stages of a disease.

**Category 6: MULTIPLE TREATMENTS (NON-CHRONIC CONDITIONS)**

Any period of absence to receive **multiple treatments** (including any period of recovery therefrom) by a health care provider or by a provider of health care services under orders of, or on referral by, a health care provider, either for **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), kidney disease (dialysis).

**Examples of Illness which Generally DO NOT Qualify as "Serious Health Conditions," but may if they meet the criteria of at least one category of serious health condition.**

- Common cold
- Earaches
- Routine headaches
- Routine medical or dental visits
- Plastic surgery for cosmetic purposes
- Upset stomach
- Sore throat
- Treatment for acne

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<sup>1</sup>Here and elsewhere on the form, the information sought relates only to the condition for which the employee is taking FMLA/OFLA leave.

<sup>2</sup>"Incapacity" for purposes of the FMLA/OFLA, is defined to mean inability to work, attend school or perform other regular daily activities due to the serious health condition, treatment thereof, or recovery therefrom

<sup>3</sup>Treatment includes examinations to determine if a serious health condition exists and evaluations of the condition. It does not include routine physical examinations, eye examinations or dental examinations.

<sup>4</sup>A regimen of continuing treatment includes, for example, a course of prescription medication (e.g. an antibiotic) or therapy requiring special equipment to resolve or alleviate the health condition. It does not include the taking of over-the-counter medications such as aspirin, antihistamines or salves, or bed rest, drinking fluids, exercise and other similar activities that can be initiated without a visit to a health care provider.

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