

Starting January 1, 2018, New York State’s Paid Family Leave provides job-protected, paid time off so an employee can care for a family member with a serious health condition. Physicians and other licensed health care providers play a key role in helping patients and their families take Paid Family Leave.

What is your role as a health care provider in Paid Family Leave?

As a health care provider, you can play a critical role in:

- Educating your patients and their families about New York State’s Paid Family Leave.
- Determining if a patient with a serious health condition is in need of family care and helping them receive the support they need.
- Providing the required certification or documentation to patients and family members who request Paid Family Leave for either bonding with a new child, or caring for a family member with a serious health condition.

The following licensed health care providers may complete necessary documentation for Paid Family Leave within their scope of practice:

- Physician
- Nurse Practitioner
- Clinical Social Worker
- Physician Assistant
- Registered Professional Nurse
- Occupational Therapist
- Chiropractor
- Podiatrist
- Midwife
- Dentist
- Optometrist
- Mental Health Practitioner
- Physical Therapist
- Psychologist

Certification for family care

Your patients must have a serious health condition, certified by you as their health care provider, to receive family care under Paid Family Leave.

The family care certification must include:

- Your name, address, telephone number, email address, license number and state of license, type of health care provider, and specialty.
- Timeframe (approximately when your patient’s serious health condition began and the expected duration).
- Certification of your patient’s serious health condition, including the appropriate *ICD-10 codes* (requested, but not required).
- The estimated duration and frequency of care the patient requires from the employee requesting leave, including whether the care will be continuing or intermittent.

Note: As a health care provider, you protect the well-being of the patients you serve. You may refuse to supply a certification for family care when the family member (employee) requesting leave is the perpetrator of domestic violence or child abuse against your patient (care recipient).

What is a serious health condition?

A serious health condition is defined as an illness, injury, impairment, or physical or mental condition requiring:

- **inpatient care** in a hospital, hospice, or inpatient/outpatient residential health facility, **or**
- **continuing treatment** or supervision by a health care provider.

Continuing treatment or supervision means one of the following reasons listed with some examples:

REASON	EXAMPLES
Chronic serious health condition that continues over an extended period of time, requires periodic treatment visits and may cause episodic periods of incapacity	Asthma, diabetes, epilepsy, psychosis, schizophrenia, bipolar disorder, or post-traumatic stress disorder (PTSD)
Long-term or permanent period of treatment that may not be effective and the family member is under continuing supervision	Alzheimer's disease, severe stroke, or terminal stage of a disease
Treatment or recovery from 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 days in the absence of treatment	Cancer (chemotherapy and radiation), severe arthritis (physical therapy), or kidney disease (dialysis)
A period of more than three consecutive full days involving treatment two or more times by a health care provider or treatment on at least one occasion followed by continuing treatment under supervision	A course of prescription medication as a regimen of continuing treatment

Medical conditions like the common cold, the flu, ear aches, upset stomach, minor ulcers, headaches other than migraine, routine dental or orthodontia problems, periodontal disease, etc., are examples of conditions that are generally not included unless there are complications that meet the criteria.

What is your role in the request process for family care?

The steps below outline an example of the request process and your role in it:

1. Your patient completes a *Release Of Personal Health Information (Form PFL-3)* and submits it to you. Your patient also submits *Health Care Provider Certification For Care Of Family Member With Serious Health Condition (Form PFL-4)* to you.
2. Keep a copy of *Form PFL-3* for your records. Complete your portion of the *Health Care Provider Certification For Care Of Family Member With Serious Health Condition (Form PFL-4)* and return it to your patient or their authorized representative.
3. Your patient then gives *Form PFL-4* to their family member, the employee requesting leave.
4. The employee requesting leave sends the completed *Health Care Provider Certification For Care Of Family Member With Serious Health Condition (Form PFL-4)* and supporting documentation to their employer's insurance carrier.

For more information, visit ny.gov/PaidFamilyLeave or call (844) 337-6303.

