



Frequently Asked Questions | Leave, Disability and Accommodations During Pregnancy

We're happy to complete forms that might be requested by your employer under the Oregon Family Leave Act (OFLA) and/or the federal Family and Medical Leave Act (FMLA) or by your disability insurance provider. **There is a charge of \$20 per form set per person.** For example, if you and your partner each need FMLA forms completed for the birth of your child, the total costs would be \$40. The fee will be collected before the forms are picked up, mailed or faxed to you. We can accept your credit card payment over the phone, if you wish. There is no fee for forms generated by WHA, such as a Release to Return to Work form.

Completion of forms is considered a non-covered service by your health insurance company; therefore, we will not bill them for it. If your employer requires the completion of forms for medical certification of your condition, then your employer is required to reimburse you for the cost of obtaining the medical certification (i.e., our fee for completing the forms). Some disability insurance companies reimburse for fees associated with obtaining medical certification of your condition, as well. Contact your disability insurance provider to determine if they do. We will provide a receipt to facilitate your reimbursement request.

What turnaround time can I expect for OFLA/ FMLA or disability paperwork?

Our goal is to have your paperwork completed within five business days (one week) from receipt.

How much leave time will I receive for a gynecologic surgery?

Because gynecological surgeries are unique and have different expected recovery times, your surgeon will indicate the period of time you will be incapacitated based on your surgery. Please talk with your surgeon if you have questions.

Can you complete paperwork for an ongoing gynecologic condition?

In some cases, we are able to certify that a patient's ability to work is impacted by a serious gynecologic condition. In these cases, it is helpful if you can share the impact your condition has on your ability to work with your provider during your appointments so that we have enough information to fill out your paperwork.

Can you complete paperwork for a mental health condition?

Our providers are not generally able to complete paperwork for mental health conditions. In most cases, patients who are unable to work due to a mental health condition need more intensive care than what we provide at WHA. In these situations, you may receive a referral to another mental health provider outside WHA with whom you can discuss your ability to work as a result of your condition.

How much leave time will WHA certify for childbirth?

Our standard custom is to certify six weeks for an uncomplicated vaginal birth and eight weeks for an uncomplicated cesarean birth. In certain situations involving more complicated deliveries, your provider may certify additional time for recovery.



Why does my paperwork state only six to eight weeks of leave after delivery when I get 12 weeks for OFLA/FMLA for bonding?

OFLA/FMLA paperwork is designed to inform employers about medical incapacitation. The typical medical disability for pregnancy is six weeks for a vaginal delivery and eight weeks for a cesarean delivery.

Childbearing patients and partners and adoptive and foster parents may also qualify for bonding (parental) leave under OFLA/FMLA. It is your employer's responsibility to know about additional time offered under OFLA/FMLA for this type of leave that is unrelated to medical incapacity. We are unable to certify bonding time.

Can my leave start sooner than my delivery date? If so, when?

In most cases, patients are not considered incapacitated prior to the onset of labor. While we know the late weeks of pregnancy can be physically uncomfortable, we cannot state that a patient is incapacitated when they are not.

There are situations, however, when a childbearing patient *is* incapacitated prior to labor, such as being placed on bedrest or being hospitalized. In these situations, your provider will take into consideration the duties of your job, as well as your pregnancy symptoms, in order to make a decision about a leave start date prior to labor and delivery, when needed.

What if my employer provides a benefit for additional pregnancy leave prior to my delivery date?

While we support this benefit, we cannot certify that it is medically necessary in most cases.

Can I be on leave due to COVID since I am pregnant?

Pregnancy is not a health condition for which we can indicate there is a need for leave related to COVID-19. We do have a letter we can provide to you with recommended work practices to reduce your risk.

What if my provider states I need a work accommodation during pregnancy?

We are happy to provide a letter to your employer reminding them of their obligations to you regarding the Pregnant Workers Fairness Act (PWFA) which was passed on June 27, 2023. This law requires that employers provide reasonable accommodations to a worker's known limitations related to pregnancy, childbirth, or a related medical condition. Please see "Resources" below for further information.

Resources

- Oregon Family Leave Act, Bureau of Labor and Industry
<https://www.oregon.gov/boli/workers/Pages/oreg-on-family-leave.aspx>
- Family and Medical Leave Act, U.S. Department of Labor
<https://www.dol.gov/agencies/whd/fact-sheets/28-fmla>
- Pregnant Workers Fairness Act
<https://www.eeoc.gov/wysk/what-you-should-know-about-pregnant-workers-fairness-act>