

Limiting Worker Medical Leave Form Fees in Nevada

Background

Passed in 1993, the Family and Medical Leave Act ¹ (FMLA) is a federal law that entitles eligible employees of covered employers to take unpaid, job-protected leave for specified family and medical reasons. FMLA did not address the fees doctors may charge a worker to complete the forms required by employers to access medical leave. The burden of paying the fees falls upon workers since federal law doesn't require employers or insurance companies to pay these medically necessary fees. Nationwide we have seen doctors charge \$25-30 for FMLA certification forms. However, Nevada doctors' offices charge upwards of \$100 for these FMLA forms.

Issue

Nevada doctors' offices are out of alignment with the national trend which is disproportionately harming working families in Nevada. The unregulated costs for Leave of Absence FMLA certification and re-certification create a financial burden for working families in Nevada, who are already taking leave from work to address medical needs for themselves or loved ones.

Conclusion

The Nevada State Legislature must pass legislation that prohibits doctors' offices from charging any fees for LOA and FMLA certification forms or caps the fees at \$25 per form for LOA and FMLA certification.

UFCW Local 711 members work in grocery stores and cannabis retailers across this state. They are vital to Nevada's economy and deserve to be able to afford to care for their health while experiencing medical hardship. Workers must provide medical records to their employers to access medical leave. Inaction to address the rising costs of required forms, in addition to medical hardship and potential loss of income from being out of work, is burdensome. Working families in Nevada deserve better access to receiving their federally-protected FLMA leave.

¹ <https://www.dol.gov/agencies/whd/laws-and-regulations/laws/fmla>