**Ask an HR Advisor:**

**Q: Can a Chiropractor be used as a qualified health care provider for purposes of FMLA?**

**A:** The FMLA has very specific guidelines regarding whether a chiropractor can be included as qualified health care provider that can complete certification to validate a serious health condition. Chiropractors can be considered a health care provider in limited instances where *all* the following criteria are met:

* Chiropractor is authorized to practice in the state;
* Chiropractor is performing within the scope of their practice under state law;
* An X-ray of the back has been completed to verify the subluxation of the spine; and
* Treatment is limited to the manual manipulation of the subluxation of the spine

If a chiropractor has met the above criteria, they can certify the condition as a serious health condition covered by the FMLA and the FMLA time off work can be continuous or intermittent. If a chiropractor has not taken X-rays or is treating a condition other than a misalignment of the spine (for example infertility or other reproductive issues) then FMLA may be subject to denial.

Sources:

[The Family and Medical Leave Act - Wage and Hour Division (WHD) - U.S. Department of Labor](https://www.dol.gov/whd/regs/compliance/1421.htm)

[29 C.F.R. § 825.125(b)(1)](https://www.ecfr.gov/cgi-bin/text-idx?type=simple;c=ecfr;cc=ecfr;rgn=div5;idno=29;q1=825.308;sid=c912eed1ac18853d4e3ee6a366484bd9;view=text;node=29%3A3.1.1.3.54#se29.3.825_1125)

If you are a Catapult member you can contact Catapult’s Advice Line for more information at 866-440-0302.

Written by a Catapult Advisor