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SENATOR FOR ARKANSAS

HEALING Mothers and Fathers Act

The Helping with Equal Access to Leave and Investing in Needs for Mothers and Fathers Act, or HEALING Mothers and Fathers Act, will amend the Family and Medical Leave Act (FMLA) to include the spontaneous loss of an unborn child as a qualifying medical condition for FMLA leave. It would also establish a tax credit for a woman that suffers the loss of a child in the womb.

Background: The loss of an unborn child is a tragic reality for many families, with roughly 25% percent of pregnancies ending in a miscarriage and 1 in 160 pregnancies in the US ending in a still birth.

The Family and Medical Leave Act (FMLA) allows employees to take leave for serious health conditions. However, many miscarriages and still births fail to meet the definition for a ‘serious health condition’ under FMLA, meaning the mother and her spouse may not qualify for leave.

In the event of a still birth, parents are more likely to face unexpected financial costs. This is due to uninsured expenses, costs associated with preparing for a baby, and in some cases, longer hospital stays, genetic testing costs, and burial expenses.

No amount of financial compensation can take away a family’s pain. However, Congress can ensure that grieving parents can take time to mourn the loss of their unborn child and ease additional costs they may face in the event of still birth.

What the bill does:

- **Amends the FMLA to include spontaneous loss of an unborn child as a qualified medical condition for FMLA leave and civil service employee leave.**
 - Women and their spouses would be entitled to take up to 12 work weeks of unpaid leave in a 12-month period for loss of an unborn child.
 - Spontaneous loss of an unborn child is defined in the bill as ‘the loss of a child in the womb that is unplanned and not resulting from a purposeful act.’
 - All requirements related to certification, notice, flexibility and leave substitution are consistent with current standards for claiming FMLA leave
- **Establishes a \$3,600 refundable tax credit for any mother, or couple, who suffered a stillbirth.**
 - Stillbirth is defined as “the delivery of a child where there was a spontaneous death, not induced by any purposeful act, before the complete delivery from the child’s mother.”
 - A family would be eligible for the tax credit if a stillbirth certificate, under applicable state law, has been issued for the child.
 - These funds could not be used for any abortion procedure
- **Prohibits Title X funds from going to abortion providers.**

The Susan B. Anthony List and National Right to Life Committee support this bill.

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