

DISABILITY CLAIMS: PREGNANCY & MATERNITY

Frequently Asked Questions



Underwritten by
United of Omaha Life Insurance Company
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Pregnancy and maternity account for 25% of short-term disability claims and nearly 5% of long-term disability claims.¹

With such a substantial percentage of pregnancy and maternity claims, questions often arise regarding the application of disability benefits.



How do disability benefits typically work for pregnancy and maternity claims?

Disability benefits provide income replacement for up to 6-8 weeks for an uncomplicated delivery, unless otherwise dictated by the policy. However, there are some conditions that may cause mothers to take leave early or stay out of work longer. And 35% of women do not return to their previous job following the birth of their child.²

Common pregnancy-related conditions that can cause expectant mothers to take leave early:

- Preeclampsia
- Preterm labor
- Placenta issues

Common post-partum related conditions that can cause a new mother to stay out of work longer:

- Postpartum depression
- Infections
- Pain-related issues

Any condition(s) claimed for disability benefits would be evaluated and subject to the terms of the policy.

How does the Family Medical Leave Act (FMLA) fit in with disability benefits?³

If an employee is eligible, FMLA entitles them to 12 weeks of unpaid job-protected leave in a 12-month period for covered reasons, including the birth of a child and bonding time. **For more information regarding FMLA, visit <https://www.dol.gov/whd/fmla/fmla-faqs.htm>.**

How does State Paid Family Leave (PFL) fit in with disability benefits?

- State Paid Family Leave (PFL) is a paid benefit that certain states offer to eligible workers
- Eligibility, amount of time allowed, and amount of benefit varies depending on the state
- PFL benefits could be an offset to the disability policy, depending on the policy language

What are some things that employers can do to help support mothers who are returning to work?

Breastfeeding is proven to be beneficial to both mother and baby. Many mothers want to continue breastfeeding but stop early from lack of support.⁴ The Fair Labor Standards Act (FLSA) and the Patient Protection and Affordable Care Act (PPACA) require that employers put certain accommodations into place for breastfeeding mothers. The FLSA and PPACA state that employers must provide:⁵

- Reasonable break time for an employee to express breast milk for her nursing child for 1 year after the child's birth each time such employee has a need to express the milk
- A place, other than a bathroom, that is shielded from view and free from intrusion from coworkers and the public, which may be used by an employee to express breast milk

Consider providing a designated mother's room where breastfeeding mothers can pump and store milk. The room should contain electrical outlets, refrigeration, a table, chairs and privacy curtains, if the room is large enough to be shared.

Employers can also offer returning mothers the option for flexible scheduling. By offering a gradual return to work, work-from-home options and modified hours, employers can provide additional maternity support.

For more information regarding the FLSA and PPACA, please visit <https://www.dol.gov/whd/regs/compliance/whdfs73.htm>.

¹Integrated Benefits Institute, Health and Productivity Benchmarking 2021, Long-Term Disability, All Employers. Condition-specific results. November 2022

²Ovia Health, The Financial Case for Investing in Return to Work Programs, (<https://www.oviahealth.com/blog/return-to-work-programs/>), August 2022

³U.S. Department of Labor, *Need Time? The Family and Medical Leave Act*, (https://www.dol.gov/whd/fmla/general_guidance.htm)
Return to Work SA, *Health Benefits of Work*, (<https://www.rtwsa.com/claims/returning-to-work/the-health-benefits-of-work>)

⁴Centers for Disease Control and Prevention, About Breastfeeding, (<https://www.cdc.gov/breastfeeding/about-breastfeeding/index.html>), April 4, 2023

⁵U.S. Department of Labor, *Fact Sheet #73: Break Time for Nursing Mothers under the FLSA*, (<https://www.dol.gov/whd/regs/compliance/whdfs73.htm>), January 2023

Why Mutual of Omaha

Over 50 years of Mutual of Omaha's Wild Kingdom taught us that the animal kingdom and the human kingdom have something in common ... an instinct to protect what matters most. Through insurance and financial products, we help people protect their lives, protect their families, protect their kingdoms.

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