



County Technical Assistance Service

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Leave for Treatment of Substance Abuse

Dear Reader:

The following document was created from the CTAS electronic library known as e-Li. This online library is maintained daily by CTAS staff and seeks to represent the most current information regarding issues relative to Tennessee county government.

We hope this information will be useful to you; reference to it will assist you with many of the questions that will arise in your tenure with county government. However, the *Tennessee Code Annotated* and other relevant laws or regulations should always be consulted before any action is taken based upon the contents of this document.

Please feel free to contact us if you have questions or comments regarding this information or any other e-Li material.

Sincerely,

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Leave for Treatment of Substance Abuse

Reference Number: CTAS-1020

Substance abuse can be considered a serious health condition if it falls within one of the categories defining a serious health condition, but FMLA leave can only be taken for treatment for substance abuse that is given by a health care provider or on referral by a health care provider. Absence for the employee's use of the substance does not qualify for FMLA leave.^[1]

[1] 29 C.F.R. § 825.119.

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