

118TH CONGRESS  
1ST SESSION

# S. 3048

To amend the Family and Medical Leave Act of 1993 to prohibit an employer from recovering any health care premium paid by the employer for an employee if the employee fails to return to work due to the birth of a child, and for other purposes.

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IN THE SENATE OF THE UNITED STATES

OCTOBER 17, 2023

Mr. VANCE (for himself and Mr. RUBIO) introduced the following bill; which was read twice and referred to the Committee on Health, Education, Labor, and Pensions

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## A BILL

To amend the Family and Medical Leave Act of 1993 to prohibit an employer from recovering any health care premium paid by the employer for an employee if the employee fails to return to work due to the birth of a child, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Fairness for Stay-at-  
5 Home Parents Act”.

1 **SEC. 2. AMENDMENTS TO THE FAMILY AND MEDICAL**  
2 **LEAVE ACT OF 1993.**

3 (a) IN GENERAL.—Section 104(c)(2)(B) of the Fam-  
4 ily and Medical Leave Act of 1993 (29 U.S.C.  
5 2614(c)(2)(B)) is amended—

6 (1) in clause (i), by striking the “or” at the  
7 end;

8 (2) by redesignating clause (ii) as clause (iii);  
9 and

10 (3) by inserting after clause (i) the following:

11 “(ii) the birth of a son or daughter of  
12 the employee; or”.

13 (b) NOTICE.—Section 104(c) of the Family and Med-  
14 ical Leave Act of 1993 (29 U.S.C. 2614(c)) is amended  
15 by adding at the end the following:

16 “(4) NOTICE REGARDING OPTION TO NOT RE-  
17 TURN FROM LEAVE.—An employer shall notify any  
18 eligible employee that takes leave for the birth of a  
19 son or daughter of the employee that the employer  
20 may not recover any premium described in para-  
21 graph (2) that the employer paid for maintaining  
22 coverage for the employee if the employee fails to re-  
23 turn due to such birth.”.

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