Stand By NICU Babies and Families Act of 2026

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Across the nation, neonatal intensive care units (NICUs) provide lifesaving services for thousands of infants each year. NICU care is essential when an infant faces a serious health condition or is born preterm and at a low birth weight – a leading cause of infant mortality. In recent years, the percentage of newborns requiring this level of specialized care has grown with 10% of infants born in the United States admitted to a NICU. During such a challenging time for families, parental presence and care in the NICU can make a substantial difference in improving neonatal health outcomes.

Currently, the Family and Medical Leave Act (FMLA), provides eligible workers with up to 12 weeks of unpaid, job-protected leave for family and medical reasons, including bonding with a healthy newborn or caring for a child with a serious health condition. For NICU parents, FMLA leave can help ensure they can be there to give their infant the best chance of surviving and overcoming serious health challenges. And when an infant finally leaves the hospital, FMLA leave is essential to ensuring that parents have time to recover, bond with their infant during a pivotal stage, and adjust to their family's "new normal" all while protecting their employment.

But working parents with a baby in the NICU can easily exhaust most or all of their allotted FMLA leave during their infant's hospitalization, leaving little to no time for bonding once the baby returns home.

The *Stand By NICU Babies and Families Act* would address these unique challenges by amending the FMLA to support NICU parents. Specifically, the bill:

- Provides FMLA-eligible employees with up to 12 additional workweeks of FMLA leave that can be used while they have a son or daughter admitted to the NICU
- Ensures NICU leave does not count against the existing 12 weeks of FMLA leave available to eligible employees
- Allows parents to take NICU leave flexibly, on an as needed basis, for the first year of their child's life