

### **18A.194 Living Organ Donor Leave Program.**

- (1) As used in this section:
  - (a) "Human organ" means any part of a human intestine, kidney, liver, lung, or pancreas;
  - (b) "Living donor" means a full-time employee of the executive, judicial, or legislative branch of the Commonwealth of Kentucky who is absent from work due to medical reasons associated with donating a human organ or bone marrow; and
  - (c)
    1. "Living organ donor leave" means a paid leave of absence provided to a living donor for time off work from the donation of a human organ or bone marrow and the recovery time associated with the donation; and
    2. "Living organ donor leave" does not include any other form of paid leave that has been granted by the living donor's employer.
- (2) The Commonwealth of Kentucky Living Organ Donor Leave Program is created. A living donor may request to receive living organ donor leave for donating a human organ or bone marrow.
- (3) Before being approved to receive any amount of living organ donor leave, the living donor shall submit verification of the human organ or bone marrow donation procedure to his or her employer.
- (4) Once approved, a living donor shall be granted living organ donor leave in an amount of:
  - (a) Two hundred forty (240) hours for each human organ donation; and
  - (b) Forty (40) hours for each bone marrow donation.
- (5) A living donor may be approved to receive living organ donor leave each time the living donor donates a human organ or bone marrow.
- (6) A living donor shall not be required to use compensatory time, sick leave, or annual leave before being eligible to receive living organ donor leave.
- (7) While a living donor is on living organ donor leave, he or she shall be deemed a state employee and shall receive the same treatment with respect to salary, wages, and employee benefits.
- (8) For purposes of determining seniority, pay or pay advancement, performance awards, and the receipt of any benefit that may be affected by a leave of absence, the service of the living donor shall be considered uninterrupted by the leave of absence.
- (9) The secretary of the Personnel Cabinet shall promulgate administrative regulations in accordance with KRS Chapter 13A to implement the provisions of this section.

**Effective:** July 15, 2020

**History:** Created 2020 Ky. Acts ch. 107, sec. 1, effective July 15, 2020.

**2024-2026 Budget Reference.** See State/Executive Branch Budget, 2024 Ky. Acts ch. 175, Pt. I, C, 2, (1) at 1832.