State and Federal Laws related to Living Donation

Several federal laws exist, and other legislative efforts are underway, that relate to living organ donors:

Federal Legislation:

• **Donor Leave Laws:** Employees of the federal government receive 30 days paid leave for organ donation and 7 days for bone marrow donation. The leave is over and above the employee’s sick and annual leave. (HR457/Public Law 106-56)

• **Tax Credit (Pending legislation):** Legislation has been introduced that would provide a federal tax credit of up to $5,000 for unreimbursed expenses, including lost wages, for living donors of kidney, liver, lung, pancreas, intestine or bone marrow. This legislation has not yet been passed.

State Legislation:

Many states have enacted various laws in support of live organ donation. These laws vary from state-to-state. The following links provide information regarding the various state laws:

• The University of North Carolina Kidney Center also maintains a list of donation and transplant-related policy initiatives, including living organ donation, by state. [http://unckidneycenter.org/kidneyhealthlibrary/health-policy](http://unckidneycenter.org/kidneyhealthlibrary/health-policy)

• The National Kidney Foundation has compiled a list of Donor Leave Laws and Tax Deductions/Credits for Living Donors, by state. [www.kidney.org/sites/default/files/LDTaxDed_Leave.pdf](http://www.kidney.org/sites/default/files/LDTaxDed_Leave.pdf)

Some states have paid disability programs for workers, which may include payment during recovery following organ donation. We encourage you to check with your donor social worker for more information.

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