



Live Donation: Financial Toolkit

SECTION • 8

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.
- 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>
- 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

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.

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 US Department of Health and Human Services maintains a webpage with a chart of various state efforts in support of organ donation and transplantation. Included is information regarding state laws in support of living donation. http://www.organdonor.gov/legislation_micro/