



# Living Donation: Financial Toolkit



## SECTION • 5

## 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 living organ donation. These laws vary from state-to-state. The following links provide information regarding the various state laws:

- The American Transplant Foundation 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. <https://www.americantransplantfoundation.org/2020/03/12/living-donor-laws-federal-and-state-by-state/>

- 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. [https://www.kidney.org/sites/default/files/ld\\_tax\\_ded\\_leave\\_20220603.pdf](https://www.kidney.org/sites/default/files/ld_tax_ded_leave_20220603.pdf) or <https://www.kidney.org/advocacy/resources>

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.