

Senate Study Bill 1132 - Introduced

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON SMITH)

A BILL FOR

1 An Act relating to the blood, bone marrow, and living organ
2 donation incentive program.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 70A.39, Code 2021, is amended to read as
2 follows:

3 **70A.39 Bone Blood, bone marrow, and living organ donation**
4 **incentive program.**

5 1. For the purposes of **this section**:

6 *a.* "Blood" means whole blood, power red, platelets, or
7 plasma.

8 *b.* "Bone marrow" means the soft tissue that fills human bone
9 cavities.

10 ~~*b. c.* "Vascular organ" "Living organ" means a heart,
11 lung, liver, pancreas, kidney, intestine, or other organ that
12 requires the continuous circulation of blood to remain useful
13 for purposes of transplantation one of two kidneys, one of
14 two lobes of a liver, a lung or part of a lung, part of the
15 pancreas, or part of the intestines.~~

16 2. ~~Beginning July 1, 2003, state~~ State employees, excluding
17 employees covered under a collective bargaining agreement which
18 provides otherwise, shall be granted leaves of absence in
19 accordance with the following:

20 *a.* A leave of absence of up to five workdays for an employee
21 who requests a leave of absence to serve as a bone marrow
22 donor if the employee provides written verification from the
23 employee's physician or the hospital involved with the bone
24 marrow donation that the employee will serve as a bone marrow
25 donor.

26 *b.* A leave of absence of up to thirty workdays for an
27 employee who requests a leave of absence to serve as a
28 ~~vascular~~ living organ donor if the employee provides written
29 verification from the employee's physician or the hospital
30 involved with the ~~vascular~~ living organ donation that the
31 employee will serve as a ~~vascular~~ living organ donor.

32 *c.* A leave of absence of up to two consecutive hours in
33 a workday for an employee who requests a leave of absence
34 to serve as a blood donor if the employee provides written
35 verification from the employee's physician or the facility

1 involved with the blood donation that the employee will serve
2 as a blood donor. An employee may submit a request for a leave
3 of absence under this subsection no more than four times in a
4 year.

5 3. An employee who is granted a leave of absence under
6 this section shall receive leave without loss of seniority,
7 pay, vacation time, personal days, sick leave, insurance and
8 health coverage benefits, or earned overtime accumulation. The
9 employee shall be compensated at the employee's regular rate of
10 pay for those regular work hours during which the employee is
11 absent from work.

12 4. An employee deemed to be on leave under [this section](#)
13 shall not be deemed to be an employee of the state for purposes
14 of workers' compensation or for purposes of the Iowa tort
15 claims Act, [chapter 669](#).

16 EXPLANATION

17 The inclusion of this explanation does not constitute agreement with
18 the explanation's substance by the members of the general assembly.

19 This bill amends the provisions of the bone marrow and
20 vascular organ donation incentive program to instead provide
21 for a blood, bone marrow, and living organ donation incentive
22 program. The bill defines "blood" and "living organ" for the
23 purposes of the bill.

24 The bill amends the provisions relating to a state employee
25 requesting and being granted a leave of absence to serve as a
26 vascular organ donor to instead serve as a living organ donor.
27 Current law provides for the granting of a leave of absence
28 for a state employee to serve as a vascular organ donor. A
29 "vascular organ" is currently defined as a heart, lung, liver,
30 pancreas, kidney, intestine, or other organ that requires
31 the continuous circulation of blood to remain useful for
32 purposes of transplantation. Under the bill, "living organ"
33 is defined as one of two kidneys, one of two lobes of a liver,
34 a lung or part of a lung, part of the pancreas, or part of the
35 intestines.

S.F. _____

1 The bill also includes new provisions to allow for a
2 state employee to be granted a leave of absence of up to two
3 consecutive hours in a workday if the employee requests a leave
4 of absence to serve as a blood donor and the employee provides
5 written verification from the employee's physician or the
6 facility involved with the blood donation that the employee
7 will serve as a blood donor. An employee may submit a request
8 for a leave of absence to serve as a blood donor no more than
9 four times in a year.