

SENATE BILL REPORT

SB 6123

As Passed Senate, February 14, 2020

Title: An act relating to state employee leave for organ donation.

Brief Description: Allowing state employee leave for organ donation.

Sponsors: Senators Hunt, Kuderer, Nguyen, Stanford, Van De Wege, Wilson, C. and Sheldon.

Brief History:

Committee Activity: State Government, Tribal Relations & Elections: 1/17/20, 1/22/20 [DP-WM, w/oRec].

Ways & Means: 1/29/20, 2/05/20 [DP, w/oRec].

Floor Activity:

Passed Senate: 2/14/20, 47-0.

Brief Summary of Bill

- Requires agencies to allow employees to take paid leave as needed, not exceeding 30 days in a two-year period, for participate in life-giving procedures.

SENATE COMMITTEE ON STATE GOVERNMENT, TRIBAL RELATIONS & ELECTIONS

Majority Report: Do pass and be referred to Committee on Ways & Means.

Signed by Senators Hunt, Chair; Kuderer, Vice Chair; Zeiger, Ranking Member; Muzzall, Assistant Ranking Member; Hasegawa and Takko.

Minority Report: That it be referred without recommendation.

Signed by Senator Hawkins.

Staff: Melissa Van Gorkom (786-7491)

SENATE COMMITTEE ON WAYS & MEANS

Majority Report: Do pass.

This analysis was prepared by non-partisan legislative staff for the use of legislative members in their deliberations. This analysis is not a part of the legislation nor does it constitute a statement of legislative intent.

Signed by Senators Rolfes, Chair; Frockt, Vice Chair, Operating, Capital Lead; Mullet, Capital Budget Cabinet; Braun, Ranking Member; Brown, Assistant Ranking Member, Operating; Honeyford, Assistant Ranking Member, Capital; Billig, Carlyle, Conway, Darneille, Dhingra, Hasegawa, Hunt, Keiser, Liias, Muzzall, Pedersen, Schoesler, Van De Wege, Wagoner and Warnick.

Minority Report: That it be referred without recommendation.

Signed by Senators Becker, Rivers and Wilson, L..

Staff: Amanda Cecil (786-7460)

Background: State civil service law provides employers discretion over whether to grant leave with pay to state employees volunteering in firefighting, search and rescue efforts, and donating blood. The director of the Office of Financial Management (OFM) may establish by rule the basis and procedures to be followed for sick leaves and vacations consistent with state civil service law and with the best standards of personnel administration.

In 2017, OFM adopted rules in response to the Governor's Executive Order 02-01, concerning Organ Donation and Other Life-Giving Procedures. Under these rules, an employer may grant leave with pay to participate in life-giving procedures. Leave granted to participate in life-giving procedures must not exceed five days in a two-year period. Under Executive Order 02-01, life-giving procedure is defined as a medically-supervised procedure involving testing, sampling, or donating blood, platelets, organs, fluids, tissues, and other human body components for the purposes of donation, without compensation, to a person or organization for medically necessary treatments.

Summary of Bill: An agency must allow an employee to take paid leave as needed to participate in life-giving procedures if the employee provides written proof from an accredited medical institution, physician, or other medical professional that the employee participated in a life-giving procedure. Leave granted to participate in life-giving procedures must not exceed thirty days in a two-year period.

When planning for and granting leave for life giving procedures, agencies:

- are required to take into account provisions of collective bargaining agreements that cover leave usage; and
- may continue to implement any informal, flextime, ad hoc, or other leave, and take into account program implementation and staffing requirements.

Life-giving procedure is defined as a medically supervised procedure involving testing, sampling, or donating organs, tissues, and other human body components for the purposes of donation, without compensation, to a person or organization for medically necessary treatments. Life-giving procedure does not include donating blood or plasma.

Appropriation: None.

Fiscal Note: Available.

Creates Committee/Commission/Task Force that includes Legislative members: No.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Staff Summary of Public Testimony (State Government, Tribal Relations & Elections): PRO: Employees should have adequate time for testing, surgery, and recovery if they are participating in a major organ donation. Five days is not enough time.

Persons Testifying (State Government, Tribal Relations & Elections): PRO: Senator Sam Hunt, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (State Government, Tribal Relations & Elections): No one.

Staff Summary of Public Testimony (Ways & Means): PRO: Having up to thirty days of leave for making an organ donation just makes more sense. We have to give donors adequate time to recover.

Persons Testifying (Ways & Means): PRO: Senator Sam Hunt, Prime Sponsor.

Persons Signed In To Testify But Not Testifying (Ways & Means): No one.