

BILL ANALYSIS

C.S.H.B. 89
By: McClendon
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Under current law, there are no provisions allowing state employees a leave of absence, without a deduction in salary, for either organ or bone-marrow donation. The lack of sufficient organ donors relative to the number of citizens who need transplants is a serious problem in Texas. Over 3,500 people in Texas need kidney transplants. Many also need bone-marrow transplants. The State benefits from transplants because Medicaid and state insurance costs are lower for transplants than for dialysis and other chronic treatment methods. In 1999, the federal government passed legislation granting federal employees 30 days paid leave if they serve as organ donors. Without a similar policy to remove one possible barrier preventing a person from donating, the State may not receive all of the benefits associated with increased organ and bone-marrow donation by its citizens. The purpose of C.S.H.B. 89 is to allow state employees time off without a deduction in salary for the donation of organs and bone-marrow.

RULEMAKING AUTHORITY

It is the opinion of the committee that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 89 amends Chapter 661, Subchapter Z, of the Government Code to provide that a state employee is entitled to a leave of absence, without a deduction in salary, for the time necessary to permit the employee to serve as a bone-marrow or organ donor. The leave of absence is prohibited from exceeding five working days in a fiscal year for bone-marrow donation, or 30 working days in a fiscal year for organ donation.

EFFECTIVE DATE

September 1, 2003

COMPARISON OF ORIGINAL TO SUBSTITUTE

C.S.H.B. 89 removes the provision in the original which required state agencies to allow each agency employee sufficient time off, without a deduction in salary or accrued leave, to donate blood.