

110TH CONGRESS
1ST SESSION

H. R. 2808

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow leave for individuals who provide living organ donations.

IN THE HOUSE OF REPRESENTATIVES

JUNE 21, 2007

Mr. HINOJOSA (for himself, Mr. EHLERS, Mr. HOLT, Mr. GUTIERREZ, Mr. ORTIZ, Mr. WEXLER, Mr. LYNCH, Mr. VAN HOLLEN, Mr. DINGELL, Mr. TIERNEY, Mr. MEEHAN, Mr. COHEN, and Mr. HASTINGS of Florida) introduced the following bill; which was referred to the Committee on Education and Labor, and in addition to the Committees on Oversight and Government Reform and House Administration, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

A BILL

To amend the Family and Medical Leave Act of 1993 and title 5, United States Code, to allow leave for individuals who provide living organ donations.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Living Organ Donor
5 Job Security Act”.

1 **SEC. 2. LEAVE FOR LIVING ORGAN DONATION.**

2 (a) LEAVE REQUIREMENT.—Section 102(a)(1) of the
 3 Family and Medical Leave Act of 1993 (29 U.S.C.
 4 2612(a)) and section 6382(a)(1) of title 5, United States
 5 Code, are each amended by adding at the end the following
 6 new subparagraph:

7 “(E) In order to provide a living organ do-
 8 nation, including time spent for—

9 “(i) tests used to determine whether
 10 the eligible employee is medically suitable
 11 for live organ donation;

12 “(ii) physical, psychological, and social
 13 evaluations of the live donor;

14 “(iii) pretransplant outpatient serv-
 15 ices;

16 “(iv) postoperative inpatient and out-
 17 patient transplantation services;

18 “(v) travel in connection with tests,
 19 evaluations, and services described in
 20 clauses (i) through (iv); and

21 “(vi) recuperation consistent with the
 22 type of transplant performed.”.

23 (b) CERTIFICATION.—

24 (1) NON-FEDERAL EMPLOYEES.—The Family
 25 and Medical Leave Act of 1993 (29 U.S.C. 2611 et
 26 seq.) is further amended by striking “section

1 102(a)(1)(D)” and inserting “subparagraph (D) or
 2 (E) of section 102(a)(1)” in the following sections,
 3 respectively:

4 (A) Section 103(b)(4)(B) (29 U.S.C.
 5 2613(b)(4)(B)).

6 (B) Section 104(c)(3)(A)(ii) (29 U.S.C.
 7 2614(c)(3)(A)(ii)).

8 (2) FEDERAL EMPLOYEES.—Section
 9 6383(b)(4)(B) of title 5, United States Code is
 10 amended by striking “section 6382(a)(1)(D)” and
 11 inserting “subparagraph (D) or (E) of section
 12 6382(a)(1)”.

13 (c) CONFORMING AMENDMENTS.—

14 (1) NON-FEDERAL EMPLOYEES.—The Family
 15 and Medical Leave Act of 1993 (29 U.S.C. 2611 et
 16 seq.) is further amended—

17 (A) by striking “(C) or (D)” each place it
 18 appears and inserting “(C), (D), or (E)” in—

19 (i) section 102(b)(1) and (2) (29
 20 U.S.C. 2612(b)(1) and (2));

21 (ii) section 102(e)(2) (29 U.S.C.
 22 2612(e)(2));

23 (iii) section 103(c)(1) (29 U.S.C.
 24 2613(c)(1));

1 (iv) section 104(c)(2)(B)(i) (29
2 U.S.C. 2614(c)(2)(B)(i)); and

3 (v) section 108(c)(1) (29 U.S.C.
4 2618(c)(1));

5 (B) by inserting “(including living organ
6 donation)” after “planned medical treatment”
7 in—

8 (i) section 102(b)(2) and (e)(2) (29
9 U.S.C. 2612(b)(2) and (e)(2));

10 (ii) section 103(b)(5) (29 U.S.C.
11 2613(b)(5)); and

12 (iii) section 108(c)(1) (29 U.S.C.
13 2618(c)(1)), in the matter preceding sub-
14 paragraph (A); and

15 (C) in section 104(a)(4) (29 U.S.C.
16 2614(a)(4)), by striking “section 102(a)(1)(D)”
17 and inserting “subparagraph (D) or (E) of sec-
18 tion 102(a)(1)”.

19 (2) FEDERAL EMPLOYEES.—Title 5, United
20 States Code, is further amended—

21 (A) by striking “(C) or (D)” each place it
22 appears and inserting “(C), (D), or (E)” in—

23 (i) section 6382(b)(2) and (e)(2); and

24 (ii) section 6383(a);

1 (B) in section 6382(d), by striking “or
2 (D)” and inserting “(D), or (E)”;

3 (C) in section 6383(b)(5), by inserting
4 “(including living organ donation)” after
5 “planned medical treatment”; and

6 (D) in section 6384(d), by striking “sec-
7 tion 6382(a)(1)(D)” and inserting “subpara-
8 graph (D) or (E) of section 6382(a)(1)”.

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