

H5020 (Edwards) S588 (Thompson) Paid Leave for Living Organ Donation for State Employees

- There are more than 92,427 Americans on the transplant waiting list for a kidney. Increasing the number of living organ donors is the surest and fastest way to reduce the number of Americans on the transplant waiting list.
- In Rhode Island, there are over 1,926 people living with kidney failure and only 343 people are currently on the kidney transplant waiting list.
 - Of the 28,492 kidney transplants performed in the U.S. in 2024, just 6,418 were made possible by living organ donors.
 - In Rhode Island, 14 of 47 kidney transplants performed in 2024 were from living donors.
- Most transplanted organs are from deceased donors, but patients may also receive organs from living donors. Living donation offers an alternative for individuals awaiting transplantation from a deceased donor and increases the existing organ supply. Transplants from living donors generally have fewer complications than deceased donor transplants and a longer survival of the donor organ.
- SB588/HB5020 would require Rhode Island state agencies to provide employees who donate an organ with job-protected paid leave during recovery from surgery. The duration of the leave is dependent on the type of donation (up to 60 days for kidney/liver donation, up to 30 days bone marrow donation) and notice should be provided to the employer at least thirty (30) days prior to the leave.
- AKF worked closely with the bill's patrons, Representative Jay Edwards and Senator Brian Thompson, to spearhead the legislation and is thankful for their commitment to enacting protections for living donors in the state. If this bill passes, Rhode Island will join the 39 states that now provide living organ donors with this important protection.
- AKF produces an annual scorecard for each state's legislative track record for improving the climate for living organ donation. After passing HB. 5489 in 2023, which prohibited life, disability and long term care insurance providers from discriminating against living organ donors, Rhode Island received a C. By passing this legislation, the grade would move up to a B.
- Treatment for kidney failure involves either dialysis or, more ideally, a transplant. Dialysis is a very time-consuming, physically draining, and financially burdensome process, but it provides a crucial function to keep people alive while they seek a transplant. Because of the nature of dialysis, most people are forced to stop their previous full-time work and without very deep financial reserves or affordable Medicare supplemental insurance, like Medigap, people will often find themselves on state Medicaid. Legislative efforts to lower barriers for potential kidney donors will allow more people to return to work and stay off state Medicaid.

If you have any policy questions about Living Donor Protection, please email Jon Hoffman, Senior Director of State Policy and Advocacy at the American Kidney Fund, jhoffman@kidneyfund.org.