



LEGISLATIVE FISCAL OFFICE  
Fiscal Note

Fiscal Note On: **HB 338** HLS 25RS 243  
Bill Text Version: **ORIGINAL**  
Opp. Chamb. Action:  
  
Proposed Amd.:  
Sub. Bill For.:

<b>Date:</b> April 21, 2025	6:11 PM	<b>Author:</b> HILFERTY
<b>Dept./Agy.:</b> Health/Statewide		
<b>Subject:</b> Mandatory paid leave for living organ donors		<b>Analyst:</b> Julie Silva

HEALTH/ANATOMICAL GIFTS OR SEE FISC NOTE GF EX Page 1 of 1  
Provides relative to paid leave for living organ donations

Proposed legislation requires an employer, defined as a person or entity employing twenty or more employees at one site, including an individual, corporation, partnership, association, non-profit organization, group of persons, state, parish, town, city, school district, or other governmental subdivision to grant an employee, defined as an individual working for 20 hours or more per week, paid leave to undergo a medical procedure to donate a living organ. Current law permits this practice for medical procedures to donate bone marrow.

EXPENDITURES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	SEE BELOW	
Annual Total						
REVENUES	2025-26	2026-27	2027-28	2028-29	2029-30	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	\$0
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	\$0
Ded./Other	\$0	\$0	\$0	\$0	\$0	\$0
Federal Funds	\$0	\$0	\$0	\$0	\$0	\$0
Local Funds	\$0	\$0	\$0	\$0	\$0	\$0
Annual Total	\$0	\$0	\$0	\$0	\$0	\$0

EXPENDITURE EXPLANATION

Proposed legislation may result in a non-quantifiable increase in state and local governmental expenditures to ensure business operations are maintained during the prolonged absence of employees granted leave as a living organ donors. Costs are primarily expected to include the hiring of additional, temporary staff at state and local agencies or to cover overtime costs for employees working beyond the scope of their traditional duties. It is unknown how many state employees provide living organ donations in a given year, though based on living organ donation statistics, it is not expected to be significant.

Proposed legislation requires employers, as defined in R.S. 40:1263.4, to grant a paid leave of absence to employees for the donation of living organs. The length of time of the absence is to be determined by the employer and be based on the specific type of medical procedure performed. Without a predetermined length of time for paid medical leave, impacts are indeterminable. For informational purposes, recovery time estimates for living donor operations are included below.

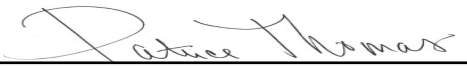
Pancreas 10-12 months  
Kidney 6-8 months  
Liver 3-6 months  
Lung 3-6 months  
Intestine 3-6 months

Based on the various funding methodologies used by agencies statewide, the LFO anticipates any increase in expenditures could impact all means of financing (SGF, SGR, Statutory Dedications, and Federal Funds), but is reflected as SGF in this note. Due to the inclusion of employees at the local level, an indeterminable increase in local fund expenditures is expected.

*Note: While leave taken for living organ donation is not anticipated to have a significant impact, any time the total amount of paid leave available to state employees in a given year is increased, there may be costs realized by state agencies. This includes compensation for overtime labor and temporary employees needed for continuation of services as well as costs to pay out up to 300 hours of annual leave and compensatory leave upon separation. The use of paid medical leave instead of annual or compensatory leave may result in an agency paying the employee for an indeterminable number of additional hours of leave they would have otherwise used, upon separation.*

REVENUE EXPLANATION

There is no anticipated direct material effect on governmental revenues as a result of this measure.

<u>Senate</u>	<u>Dual Referral Rules</u>	<u>House</u>	
<input type="checkbox"/> 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}		<input type="checkbox"/> 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}	
<input type="checkbox"/> 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}		<input type="checkbox"/> 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}	 <b>Patrice Thomas</b> <b>Deputy Fiscal Officer</b>