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**MEMORANDUM**

**PERSONNEL MEMO 20-13**

**To:** Constitutional Officers  
Cabinet Secretaries  
Agency Heads  
HR Administrators

**From:** Gerina D. Whethers, Secretary 

**Date:** July 15, 2020

**Re:** Newly Created Commonwealth of Kentucky Living Organ Donor Leave Program

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On April 24, 2020, Governor Andy Beshear signed House Bill (HB) 46, an Act relating to the promotion of living donor human organ and bone marrow donation. The Act created a new section of KRS Chapter 18A, specifically KRS 18A.194, which is effective July 15, 2020. The paid leave, which is administered by the Personnel Cabinet, applies to any full-time employee of the executive, judicial, or legislative branch of the Commonwealth of Kentucky who is absent from work due to medical reasons associated with donating a human organ or bone marrow. Human organ is defined as any part of a human intestine, kidney, liver, lung, or pancreas. Once approved, a living donor is eligible for 240 hours of paid leave for each human organ donation and 40 hours of paid leave for each bone marrow donation.

We highly encourage you to review the new statute, KRS 18A.194, to familiarize yourself with the new leave program (<https://apps.legislature.ky.gov/law/statutes/statute.aspx?id=50417>). Please also be advised that a new regulation (101 KAR 6:010) and emergency regulation (101 KAR 6:010E) were filed by the Personnel Cabinet on July 15, 2020, to implement the provisions of the Act. The emergency regulation is effective July 15, 2020, the same day as KRS 18A.194. Please review the regulations for your awareness of the administrative requirements of the program, once they are posted for viewing at the following website: <https://apps.legislature.ky.gov/law/kar/TITLE101.HTM>.

HR Administrators will receive detailed guidance about the handling of this new leave program following the distribution of this memo.

If you have any questions, please contact Mary Elizabeth Bailey, Commissioner, Department of Human Resources Administration, at [MaryE.Bailey@ky.gov](mailto:MaryE.Bailey@ky.gov).