

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 10:51 p.m.

CHAPTER 536—S.F.No. 1903

An act relating to health; providing programs and incentives for persons to volunteer as bone marrow donors; requiring the commissioner of health to educate residents about the need for volunteer bone marrow donors; requiring paid leave for employees to donate bone marrow; requiring a bone marrow donor drive to encourage state employees to volunteer as bone marrow donors; appropriating money; proposing coding for new law in Minnesota Statutes, chapters 145 and 181.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **[145.927] BONE MARROW DONOR EDUCATION.**

The commissioner of health shall educate residents of the state about:

(1) the need for bone marrow donors;

(2) the procedures required to become registered as a potential bone marrow donor, including the procedures for determining the person's tissue type; and

(3) the medical procedures a donor must undergo to donate bone marrow and the attendant risks of the procedure.

The commissioner shall make special efforts to educate and recruit minority populations to volunteer as potential bone marrow donors. Means of communication may include use of press, radio, and television, and placement of educational materials in appropriate health care facilities, blood banks, and state and local agencies. The commissioner of health, in conjunction with the commissioner of public safety, shall make educational materials available at all places where drivers' licenses are issued or renewed.

Sec. 2. **[181.945] LEAVE FOR BONE MARROW DONATIONS.**

Subdivision 1. DEFINITIONS. (a) For the purposes of this section, the following terms have the meanings given to them in this subdivision.

(b) "Employee" means a person who performs services for hire for an employer, for an average of 20 or more hours per week, and includes all individuals employed at any site owned or operated by an employer. Employee does not include an independent contractor.

(c) "Employer" means a person or entity that employs 20 or more employees at at least one site and includes an individual, corporation, partnership, association, nonprofit organization, group of persons, state, county, town, city, school district, or other governmental subdivision.

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 2. LEAVE. An employer must grant paid leaves of absence to an employee who seeks to undergo a medical procedure to donate bone marrow. The combined length of the leaves shall be determined by the employee, but may not exceed 40 work hours, unless agreed to by the employer. The employer may require verification by a physician of the purpose and length of each leave requested by the employee to donate bone marrow. If there is a medical determination that the employee does not qualify as a bone marrow donor, the paid leave of absence granted to the employee prior to that medical determination is not forfeited.

Subd. 3. NO EMPLOYER SANCTIONS. An employer shall not retaliate against an employee for requesting or obtaining a leave of absence as provided by this section.

Subd. 4. RELATIONSHIP TO OTHER LEAVE. This section does not prevent an employer from providing leave for bone marrow donations in addition to leave allowed under this section. This section does not affect an employee's rights with respect to any other employment benefit.

Sec. 3. BONE MARROW DONOR DRIVE.

The commissioner of health shall conduct a bone marrow donor drive to encourage state employees to volunteer to be potential bone marrow donors. The drive shall include educational materials and presentations that explain the need for bone marrow donors, and the procedures for becoming registered as a potential bone marrow donor. The commissioner of employee relations shall provide assistance as needed to organize and conduct the drive. The bone marrow donor drive must be completed by June 30, 1991.

Sec. 4. APPROPRIATIONS.

Subdivision 1. BONE MARROW DONOR EDUCATION. \$40,000 is appropriated from the general fund to the commissioner of health for the bone marrow donor education required in section 1. The funds are available until June 30, 1991.

Subd. 2. BONE MARROW DONOR DRIVE. \$15,000 is appropriated from the general fund to the commissioner of employee relations to pay the costs of typing the tissue of the first 200 state employees who are recruited under the bone marrow drive in section 3 to be potential bone marrow donors. The funds are available until June 30, 1991.

Presented to the governor April 24, 1990

Signed by the governor April 26, 1990, 9:30 p.m.

New language is indicated by underline, deletions by ~~strikeout~~.