

HB 1793 -- MENTAL HEALTH LEAVE

SPONSOR: Johnson (23)

This bill allows employees to be able to take unpaid leave from work to attend mental health appointments. Employees shall be entitled leave for at least one mental health appointment per week. The employee must provide at least 48 hours advance notice to the employer of their intention to take leave, unless providing advance notice is not practicable.

The employer may require the employee to provide certification to the employer that leave is being taken for a mental health appointment, and the employee must provide that certification within a reasonable period after it has been requested. For the purposes of this bill, the certification requirement may be satisfied by providing the employer a sworn statement and documentation from the health care provider who treated the employee at the mental health appointment.

All information provided to the employer under the provisions of this bill, including a statement or any other documentation, record, or evidence, and the fact that the employee has requested or obtained leave, shall be retained in the strictest possible confidence by the employer.

Every employer must annually notify its employees of the requirements of this bill, and no rights or remedies established for employees shall be diminished by any federal, state, or local law, collective bargaining agreement, or employment benefits program or plan.

This bill is similar to HB 1070 (2023).