

**INSURANCE MODIFICATIONS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mark A. Wheatley**

Senate Sponsor: \_\_\_\_\_

---

---

**LONG TITLE**

**General Description:**

This bill enacts provisions related to life insurance, accident and health insurance, and long-term ~~care~~ care insurance.

**Highlighted Provisions:**

This bill:

- ▶ prohibits an insurer from discriminating in the offering, issuance, cancellation, amount of coverage, price, or any other condition of a life insurance, accident and health insurance, or long-term care insurance policy or contract due to the status of an individual as a living organ donor; and
- ▶ defines terms.

**Money Appropriated in this Bill:**

None

**Other Special Clauses:**

None

**Utah Code Sections Affected:**

ENACTS:

- 31A-22-430**, Utah Code Annotated 1953
- 31A-22-653**, Utah Code Annotated 1953
- 31A-22-1415**, Utah Code Annotated 1953



28 *Be it enacted by the Legislature of the state of Utah:*

29 Section 1. Section **31A-22-430** is enacted to read:

30 **31A-22-430. Living organ donor coverage.**

31 (1) For the purposes of this section, "living organ donor" means the same as that term  
 32 is defined in Section [31A-22-653](#).

33 (2) An insurer may not:

34 (a) deny eligibility for coverage or limit coverage of a individual under a life insurance  
 35 policy or contract ~~H~~→ **solely** ←~~H~~ due to the status of the individual as a living organ donor;

36 (b) preclude an individual from donating all or part of an organ as a condition of  
 37 receiving or continuing to receive coverage under a life insurance policy or contract; or

38 (c) discriminate in the offering, issuance, cancellation, amount of coverage, price, or  
 39 any other condition of a life insurance policy or contract for an individual based upon the status  
 40 of the individual as a living organ donor without any additional actuarial risk.

41 (3) The commissioner shall make educational materials available to insurers and the  
 42 public on the access of living organ donors to insurance.

43 (4) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah  
 44 Administrative Rulemaking Act, to implement the provisions of this section.

45 Section 2. Section **31A-22-653** is enacted to read:

46 **31A-22-653. Living organ donor coverage.**

47 (1) For the purposes of this section, "living organ donor" means an individual who has  
 48 donated all or part of an organ and is not deceased.

49 (2) An insurer may not:

50 (a) deny eligibility for coverage or limit coverage of a individual under an accident and  
 51 health insurance policy or contract ~~H~~→ **solely** ←~~H~~ due to the status of the individual as a living  
 51a organ donor;

52 (b) preclude an individual from donating all or part of an organ as a condition of  
 53 receiving or continuing to receive coverage under an accident and health insurance policy or  
 54 contract; or

55 (c) discriminate in the offering, issuance, cancellation, amount of coverage, price, or  
 56 any other condition of an accident and health insurance policy or contract for an individual  
 57 based upon the status of the individual as a living organ donor without any additional actuarial  
 58 risk.

59           (3) The commissioner shall make educational materials available to insurers and the  
60 public on the access of living organ donors to insurance.

61           (4) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah  
62 Administrative Rulemaking Act, to implement the provisions of this section.

63           Section 3. Section **31A-22-1415** is enacted to read:

64           **31A-22-1415. Living organ donor coverage.**

65           (1) For the purposes of this section, "living organ donor" means the same as that term  
66 is defined in Section [31A-22-653](#).

67           (2) An insurer may not:

68           (a) deny eligibility for coverage or limit coverage of a individual under a long-term  
69 care insurance policy or contract ~~to~~ **solely** ~~due~~ due to the status of the individual as a living organ  
69a donor;

70           (b) preclude an individual from donating all or part of an organ as a condition of  
71 receiving or continuing to receive coverage under a long-term care insurance policy or contract;  
72 or

73           (c) discriminate in the offering, issuance, cancellation, amount of coverage, price, or  
74 any other condition of a long-term care insurance policy or contract for an individual based  
75 upon the status of the individual as a living organ donor without any additional actuarial risk.

76           (3) The commissioner shall make educational materials available to insurers and the  
77 public on the access of living organ donors to insurance.

78           (4) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah  
79 Administrative Rulemaking Act, to implement the provisions of this section.