

**INSURANCE MODIFICATIONS**

2020 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Mark A. Wheatley**

**Senate Sponsor: Ralph Okerlund**

6	Cosponsors:	Susan Duckworth	Angela Romero
7	Patrice M. Arent	Eric K. Hutchings	Lawanna Shurtliff
8	Joel K. Briscoe	Karen Kwan	
9	Jennifer Dailey-Provost	Carol Spackman Moss	

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**LONG TITLE**

**General Description:**

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

29 [31A-22-653](#), Utah Code Annotated 1953

30 [31A-22-1415](#), Utah Code Annotated 1953

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

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

34 **31A-22-430. Living organ donor coverage.**

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

37 (2) An insurer may not:

38 (a) deny eligibility for coverage or limit coverage of a individual under a life insurance  
39 policy or contract solely due to the status of the individual as a living organ donor;

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

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

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

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

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

50 **31A-22-653. Living organ donor coverage.**

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

53 (2) An insurer may not:

54 (a) deny eligibility for coverage or limit coverage of a individual under an accident and  
55 health insurance policy or contract solely due to the status of the individual as a living organ  
56 donor;

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

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

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

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

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

69 **31A-22-1415. Living organ donor coverage.**

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

72 (2) An insurer may not:

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

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

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

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

84 (4) The commissioner may make rules in accordance with Title 63G, Chapter 3, Utah

85 Administrative Rulemaking Act, to implement the provisions of this section.