

ORGAN TRANSPLANT AMENDMENTS

2024 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Michael K. McKell

House Sponsor: Candice B. Pierucci

LONG TITLE

General Description:

This bill addresses forced organ harvesting.

Highlighted Provisions:

This bill:

- defines terms;
- prohibits an issuer of accident and health insurance from covering a human organ transplant or post-transplant care under certain circumstances;
- authorizes a deputy director from the Department of Health and Human Services to designate a country known to have participated in forced organ harvesting; and
- provides a severability clause.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

ENACTS:

31A-22-660, as Utah Code Annotated 1953

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

Section 1. Section 31A-22-660 is enacted to read:

31A-22-660 . Definitions -- Prohibitions concerning organ harvesting --

Severability.

(1) As used in this section, "forced organ harvesting" means the removal of one or more organs from a living individual, or from an individual killed for the purpose of removal

- 28 of one or more of the individual's organs, by means of coercion, abduction, deception,
29 fraud, or abuse of power or a position of vulnerability.
- 30 (2) An issuer of accident and health insurance may not cover a human organ transplant or
31 post-transplant care if:
- 32 (a) the human organ transplant operation is performed in the People's Republic of China
33 or any other country known to have participated in forced organ harvesting, as
34 designated pursuant to Subsection (3); or
- 35 (b) the human organ to be transplanted was procured by sale or donation originating in
36 the People's Republic of China or any other country known to have participated in
37 forced organ harvesting, as designated pursuant to Subsection (3).
- 38 (3) (a) The deputy director of the Department of Health and Human Services described
39 in Subsection 26B-1-203(4) may designate additional countries with governments
40 that fund, sponsor, or otherwise facilitate forced organ harvesting.
- 41 (b) If the deputy director designates an additional country under Subsection (3)(a), the
42 deputy director shall provide written notice to the executive director of the
43 Department of Health and Human Services and the insurance commissioner.
- 44 (4) If any provision of this section or the application of any provision of this section to any
45 person or circumstance is held to be invalid, the remainder of this section shall be given
46 effect without the invalid provision or application. The provisions of Section 31A-22-660
47 are severable.

48 Section 2. **Effective date.**

49 This bill takes effect on May 1, 2024.