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**ORGAN TRANSPLANT AMENDMENTS**

2024 GENERAL SESSION

STATE OF UTAH

**Chief Sponsor: Michael K. McKell**

House Sponsor: Candice B. Pierucci

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**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**, Utah Code Annotated 1953

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

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



28           31A-22-660. Definitions -- Prohibitions concerning organ harvesting --  
29 **Severability.**

30           (1) As used in this section, "forced organ harvesting" means the removal of one or  
31 more organs from a living individual, or from an individual killed for the purpose of removal  
32 of one or more of the individual's organs, by means of coercion, abduction, deception, fraud, or  
33 abuse of power or a position of vulnerability.

34           (2) An issuer of accident and health insurance may not cover a human organ transplant  
35 or post-transplant care if:

36           (a) the human organ transplant operation is performed in the People's Republic of  
37 China or any other country known to have participated in forced organ harvesting, as  
38 designated pursuant to Subsection (3); or

39           (b) the human organ to be transplanted was procured by sale or donation originating in  
40 the People's Republic of China or any other country known to have participated in forced organ  
41 harvesting, as designated pursuant to Subsection (3).

42           (3) (a) The deputy director of the Department of Health and Human Services described  
43 in Subsection 26B-1-203(4) may designate additional countries with governments that fund,  
44 sponsor, or otherwise facilitate forced organ harvesting.

45           (b) If the deputy director designates an additional country under Subsection (3)(a), the  
46 deputy director shall provide written notice to the executive director of the Department of  
47 Health and Human Services and the insurance commissioner.

48           (4) If any provision of this section or the application of any provision of this section to  
49 any person or circumstance is held to be invalid, the remainder of this section shall be given  
50 effect without the invalid provision or application. The provisions of Section 31A-22-660 are  
51 severable.

52           Section 2. **Effective date.**

53           This bill takes effect on May 1, 2024.