

By the Committee on Banking and Insurance; and Senator Cruz

597-02089-22

20221026c1

1 A bill to be entitled
2 An act relating to living organ donors in insurance
3 policies; creating s. 626.97075, F.S.; defining the
4 term "policy"; prohibiting insurers under specified
5 policies from declining or limiting coverages and
6 discriminating against persons based solely on their
7 status as living organ donors, and from precluding
8 insureds from donating organs; authorizing the
9 Financial Services Commission to adopt rules and take
10 actions to enforce specified laws; providing an
11 effective date.

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13 Be It Enacted by the Legislature of the State of Florida:

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15 Section 1. Section 626.97075, Florida Statutes, is created
16 to read:

17 626.97075 Life insurance, disability insurance, and long-
18 term care insurance; discrimination against living organ donors
19 prohibited.-

20 (1) As used in this section, the term "policy" means any of
21 the following:

22 (a) An individual or group life insurance policy.

23 (b) An industrial life insurance policy, as the term
24 "industrial life insurance" is defined in s. 627.502(1).

25 (c) A credit life insurance or credit disability insurance
26 policy, as defined in s. 627.677(1) and (2), respectively.

27 (d) A long-term care insurance policy as defined in s.
28 627.9404(1).

29 (2) Notwithstanding any other law, an insurer may not,

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30 under a policy:

31 (a) Decline or limit coverage of a person solely due to his
32 or her status as a living organ donor;

33 (b) Preclude an insured from donating all or part of an
34 organ as a condition to continuing to receive coverage under the
35 policy; or

36 (c) Otherwise discriminate in the offering, issuance,
37 cancellation, coverage, premium, or any other condition of the
38 policy for a person without any additional actuarial risk and
39 based solely on his or her status as a living organ donor.

40 (3) The commission may adopt rules and take actions
41 necessary to enforce this section.

42 Section 2. This act shall take effect July 1, 2022.