

SSB 5003 - H COMM AMD

By Committee on Health Care & Wellness

ADOPTED AND ENGROSSED 04/10/2021

1 Strike everything after the enacting clause and insert the
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 48.02
4 RCW to read as follows:

5 (1) Notwithstanding any other provision of law, all insurers,
6 fraternal benefit societies, health carriers including disability
7 insurers, health maintenance organizations, and health care service
8 contractors, and limited health care service contractors may not:

9 (a) Decline or limit coverage of a person under a policy or
10 contract solely due to the status of the person as a living organ
11 donor;

12 (b) Preclude a person from donating all or part of an organ as a
13 condition of receiving or continuing to receive a policy or contract;
14 or

15 (c) Otherwise discriminate in the offering, issuance,
16 cancellation, amount of coverage, price, or any other condition of a
17 policy or contract for a person based solely and without any
18 additional actuarial risks upon the status of the person as a living
19 organ donor. Except as provided in RCW 48.43.0128, 48.44.220, or
20 48.46.370, this subsection does not prohibit fair discrimination on
21 the basis of sex, or marital status, or the presence of any sensory,
22 mental, or physical handicap when bona fide statistical differences
23 in risk or exposure have been substantiated.

24 (2) The commissioner shall make educational materials available
25 to the health plans and the public on the access of living organ
26 donors to insurance.

27 (3) The commissioner may adopt rules to implement this section.

28 (4) For purposes of this section, "living organ donor" means an
29 individual who has donated all or part of an organ and is not
30 deceased."

1 Correct the title.

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