

CERTIFICATION OF ENROLLMENT

SUBSTITUTE SENATE BILL 5003

67th Legislature
2021 Regular Session

Passed by the Senate April 14, 2021
Yeas 48 Nays 0

President of the Senate

Passed by the House April 10, 2021
Yeas 97 Nays 0

**Speaker of the House of
Representatives**

Approved

Governor of the State of Washington

CERTIFICATE

I, Brad Hendrickson, Secretary of the Senate of the State of Washington, do hereby certify that the attached is **SUBSTITUTE SENATE BILL 5003** as passed by the Senate and the House of Representatives on the dates hereon set forth.

Secretary

FILED

**Secretary of State
State of Washington**

SUBSTITUTE SENATE BILL 5003

AS AMENDED BY THE HOUSE

Passed Legislature - 2021 Regular Session

State of Washington

67th Legislature

2021 Regular Session

By Senate Health & Long Term Care (originally sponsored by Senators Keiser, Conway, Kuderer, Randall, Saldaña, Stanford, and Wilson, C.)

READ FIRST TIME 01/21/21.

1 AN ACT Relating to enacting the living donor act; and adding a
2 new section to chapter 48.02 RCW.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

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

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

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

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

16 (c) Otherwise discriminate in the offering, issuance,
17 cancellation, amount of coverage, price, or any other condition of a
18 policy or contract for a person based solely and without any
19 additional actuarial risks upon the status of the person as a living
20 organ donor. Except as provided in RCW 48.43.0128, 48.44.220, or
21 48.46.370, this subsection does not prohibit fair discrimination on

1 the basis of sex, or marital status, or the presence of any sensory,
2 mental, or physical handicap when bona fide statistical differences
3 in risk or exposure have been substantiated.

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

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

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

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