

THE FLORIDA SENATE
2022 SUMMARY OF LEGISLATION PASSED
Committee on Banking and Insurance

CS/HB 1099 — Living Organ Donors in Insurance Policies

by Finance and Facilities Subcommittee and Reps. Latvala, Barnaby, and others (CS/SB 1026 by Banking and Insurance Committee and Senators Cruz and Harrell)

The bill creates s. 626.97075, F.S., within Florida’s Unfair Trade Practices law (ch. 626, part IX, F.S.). The section creates a definition of “policy” as a life insurance policy, including those for individual life insurance, industrial life insurance, and group life insurance; a credit life insurance and credit disability insurance policy; and a long-term care insurance policy. The section specifies that an insurer may not, in a policy, as defined by the section:

- Decline or limit coverage of a person solely due to that person’s status as a living organ donor;
- Preclude an insured person from donating all, or part of, an organ as a condition to continuing to receive coverage under that person’s insurance policy; or
- Otherwise discriminate in the offering, issuance, cancellation, coverage, premium, or any other condition of a person’s policy without any additional actuarial risk, and based solely on that person’s status as a living organ donor.

Finally, the bill states that the Financial Services Commission may adopt rules and take actions necessary to enforce these prohibitions.

If approved by the Governor, these provisions take effect July 1, 2022.

Vote: Senate 38-1; House 113-0