

26 | 641.31065 and 641.4275, F.S.; prohibiting health
 27 | maintenance organizations under health maintenance
 28 | contracts and prepaid health clinics under prepaid
 29 | health clinic contracts, respectively, from declining
 30 | or limiting coverages and discriminating against
 31 | persons based on their status as living organ donors,
 32 | and from precluding subscribers from donating organs;
 33 | authorizing the commission to adopt rules and take
 34 | actions to enforce specified laws; providing an
 35 | effective date.

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 37 | Be It Enacted by the Legislature of the State of Florida:

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 39 | Section 1. Section 626.97075, Florida Statutes, is created
 40 | to read:

41 | 626.97075 Life insurance, health insurance, disability
 42 | insurance, and long-term care insurance; discrimination against
 43 | living organ donors prohibited.-

44 | (1) As used in this section, the term "policy" means any
 45 | of the following:

46 | (a) An individual or group life insurance policy.

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

49 | (c) An individual or a group, blanket, or franchise health
 50 | insurance policy, as the term "health insurance" is defined in

51 s. 624.603.

52 (d) A credit life insurance or credit disability insurance
 53 policy, as defined in s. 627.677(1) and (2), respectively.

54 (e) A long-term care insurance policy as defined in s.
 55 627.9404(1).

56 (f) A health maintenance contract as defined s.
 57 641.19(11).

58 (g) A prepaid health clinic contract as defined in s.
 59 641.402.

60 (2) Notwithstanding any other law, an insurer, a health
 61 maintenance organization, or a prepaid health clinic may not,
 62 under a policy:

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

65 (b) Preclude an insured or a subscriber from donating all
 66 or part of an organ as a condition to continuing to receive
 67 coverage under the policy; or

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

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

74 Section 2. Section 627.4795, Florida Statutes, is created
 75 to read:

76 627.4795 Discrimination against living organ donors
 77 prohibited.-

78 (1) Notwithstanding any other law, an insurer may not,
 79 under a life insurance policy:

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

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

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

89 (2) The commission may adopt rules and take actions
 90 necessary to enforce this section.

91 Section 3. Section 627.5215, Florida Statutes, is created
 92 to read:

93 627.5215 Discrimination against living organ donors
 94 prohibited.-

95 (1) Notwithstanding any other law, an insurer may not,
 96 under an industrial life insurance policy:

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

99 (b) Preclude an insured from donating all or part of an
 100 organ as a condition to continuing to receive coverage under the

101 policy; or

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

106 (2) The commission may adopt rules and take actions
 107 necessary to enforce this section.

108 Section 4. Section 627.5585, Florida Statutes, is created
 109 to read:

110 627.5585 Discrimination against living organ donors
 111 prohibited.-

112 (1) Notwithstanding any other law, an insurer may not,
 113 under a group life insurance policy:

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

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

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

123 (2) The commission may adopt rules and take actions
 124 necessary to enforce this section.

125 Section 5. Section 627.6443, Florida Statutes, is created

126 to read:

127 627.6443 Discrimination against living organ donors
 128 prohibited.-

129 (1) Notwithstanding any other law, an insurer may not,
 130 under a health insurance policy:

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

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

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

140 (2) The commission may adopt rules and take actions
 141 necessary to enforce this section.

142 Section 6. Section 627.65624, Florida Statutes, is created
 143 to read:

144 627.65624 Discrimination against living organ donors
 145 prohibited.-

146 (1) Notwithstanding any other law, an insurer may not,
 147 under a group, blanket, or franchise health insurance policy:

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

150 (b) Preclude an insured from donating all or part of an

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151 organ as a condition to continuing to receive coverage under the
152 policy; or

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

157 (2) The commission may adopt rules and take actions
158 necessary to enforce this section.

159 Section 7. Section 627.6813, Florida Statutes, is created
160 to read:

161 627.6813 Discrimination against living organ donors
162 prohibited.—

163 (1) Notwithstanding any other law, an insurer may not,
164 under a credit life insurance or credit disability insurance
165 policy:

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

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

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

175 (2) The commission may adopt rules and take actions

176 necessary to enforce this section.

177 Section 8. Section 627.94065, Florida Statutes, is created
178 to read:

179 627.94065 Discrimination against living organ donors
180 prohibited.-

181 (1) Notwithstanding any other law, an insurer may not,
182 under a long-term care insurance policy:

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

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

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

192 (2) The commission may adopt rules and take actions
193 necessary to enforce this section.

194 Section 9. Section 641.31065, Florida Statutes, is created
195 to read:

196 641.31065 Discrimination against living organ donors
197 prohibited.-

198 (1) Notwithstanding any other law, a health maintenance
199 organization may not, under a health maintenance contract:

200 (a) Decline or limit coverage of a person solely due to

201 his or her status as a living organ donor;

202 (b) Preclude a subscriber from donating all or part of an
 203 organ as a condition to continuing to receive coverage under the
 204 contract; or

205 (c) Otherwise discriminate in the offering, issuance,
 206 cancellation, coverage, premium, or any other condition of the
 207 contract for a person without any additional actuarial risk and
 208 based solely on his or her status as a living organ donor.

209 (2) The commission may adopt rules and take actions
 210 necessary to enforce this section.

211 Section 10. Section 641.4275, Florida Statutes, is created
 212 to read:

213 641.4275 Discrimination against living organ donors
 214 prohibited.—

215 (1) Notwithstanding any other law, a prepaid health clinic
 216 may not, under a prepaid health clinic contract:

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

219 (b) Preclude a subscriber from donating all or part of an
 220 organ as a condition to continuing to receive coverage under the
 221 contract; or

222 (c) Otherwise discriminate in the offering, issuance,
 223 cancellation, coverage, premium, or any other condition of the
 224 contract for a person without any additional actuarial risk and
 225 based solely on his or her status as a living organ donor.

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226 (2) The commission may adopt rules and take actions
227 necessary to enforce this section.

228 Section 11. This act shall take effect July 1, 2022.