

ENROLLED

CS/HB 1099

2022 Legislature

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

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

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

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

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

(a) An individual or group life insurance policy.

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

(c) A credit life insurance or credit disability insurance

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26 policy, as the terms "credit life insurance" and "credit  
 27 disability insurance" are defined in s. 627.677(1) and (2),  
 28 respectively.

29 (d) A long-term care insurance policy, as defined in s.  
 30 627.9404(1).

31 (2) Notwithstanding any other law, an insurer may not,  
 32 under a policy:

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

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

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

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

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