
SENATE BILL 6039

State of Washington

66th Legislature

2020 Regular Session

By Senators Keiser, Hunt, Saldaña, and Wilson, C.

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1 AN ACT Relating to enacting the living donor act; adding a new
2 section to chapter 48.18 RCW; and providing an effective date.

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

4 NEW SECTION. **Sec. 1.** A new section is added to chapter 48.18
5 RCW to read as follows:

6 (1) Notwithstanding any other provision of law, no person engaged
7 in the business of insurance shall:

8 (a) Decline or limit coverage of a person under a policy or
9 contract for life insurance, disability insurance, health insurance,
10 or long-term care insurance due to the status of the person as a
11 living organ donor;

12 (b) Preclude a person from donating all or part of an organ as a
13 condition of receiving a policy or contract for life insurance,
14 disability insurance, health insurance, or long-term care insurance;

15 (c) Consider the status of a person as a living organ donor in
16 determining the premium rate for coverage of the person under a
17 policy or contract for life insurance, disability insurance, health
18 insurance, or long-term care insurance; or

19 (d) Otherwise discriminate in the offering, issuance,
20 cancellation, amount of coverage, price, or any other condition of a
21 policy or contract for life insurance, disability insurance, health

1 insurance, or long-term care insurance for a person based solely and
2 without any additional actuarial risks upon the status of the person
3 as a living organ donor. This subsection does not prohibit fair
4 discrimination on the basis of sex, or marital status, or the
5 presence of any sensory, mental, or physical handicap when bona fide
6 statistical differences in risk or exposure have been substantiated.

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

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

11 (4) The definitions in this subsection apply throughout this
12 section unless the context clearly requires otherwise.

13 (a) "Disability insurance" has the same meaning as in RCW
14 48.11.030.

15 (b) "Health insurance" has the same meaning as "health benefit
16 plan" in RCW 48.43.005.

17 (c) "Life insurance" has the same meaning as in RCW 48.11.020.

18 (d) "Living organ donor" means an individual who has donated all
19 or part of an organ and is not deceased.

20 (e) "Long-term care insurance" has the same meaning as in RCW
21 48.83.020.

22 NEW SECTION. **Sec. 2.** This act takes effect January 1, 2021.

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